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## TITLE 6—AGRICULTURAL CREDIT

### Chapter I—Farm Credit Administration, Department of Agriculture

#### PART 27—THE FEDERAL LAND BANK OF SAINT PAUL

##### FEES

1. Section 27.2 of Title 6, Code of Federal Regulations, is hereby amended to read as follows:

§ 27.2 *Reamortization of loan fees.* Applicants for reamortization of Federal Land Bank loans and Land Bank Commissioner loans will not be required to pay a reamortization fee; however, such applicants will be obligated to pay actual cash outlays incident to the reamortization, such as abstract expense, recording fees, notarial fees and other similar expenditures.

(Sec. 13, "Ninth," 39 Stat. 372; 12 U. S. C. 781 "Ninth")

2. Section 27.3 of Title 6, Code of Federal Regulations, is hereby revoked, effective October 1, 1950. (Res. Bd. Dir., September 15, 1950.)

THE FEDERAL LAND BANK  
OF SAINT PAUL,  
[SEAL] W. R. FANKHANEL,  
Vice President.

[F. R. Doc. 50-8642; Filed, Oct. 2, 1950; 8:49 a. m.]

### Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

#### Subchapter C—Loans, Purchases, and Other Operations

[1950 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Soybeans]

#### PART 601—GRAINS AND RELATED COMMODITIES

##### SUBPART—1950-CROP SOYBEAN LOAN AND PURCHASE AGREEMENT PROGRAM

A price support program for 1950-crop soybeans has been announced. The 1950 C. C. C. Grain Price Support Bulletin 1, 15 F. R. 3147, issued by the Commodity Credit Corporation and containing the

general requirements with respect to price support operations for grains and related commodities produced in 1950, is supplemented as follows:

Sec.  
601.501 Purpose.  
601.502 Availability of price support.  
601.503 Eligible soybeans.  
601.504 Warehouse receipts.  
601.505 Determination of quantity.  
601.506 Determination of quality.  
601.507 Maturity of loans.  
601.508 Support rates.

AUTHORITY: §§ 601.501 to 601.508 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, Titles III and IV, Pub. Law 439, 81st Cong.; 15 U. S. C. Supp., 714c.

§ 601.501 *Purpose.* Sections 601.501 to 601.508 state additional specific requirements which, together with the general requirements contained in the 1950 C. C. C. Grain Price Support Bulletin 1, 15 F. R. 3147, apply to loans and purchase agreements under the 1950-crop Soybean Price Support Program.

§ 601.502 *Availability of price support—(a) Method of support.* Price support will be made available by means of nonrecourse farm-storage and warehouse-storage loans and of purchase agreements.

(b) *Area.* Farm-storage and warehouse-storage loans and purchase agreements will be available wherever soybeans are grown in the continental United States, except that farm-storage loans will not be available in areas where the PMA State committee determines that soybeans cannot be safely stored on the farm.

(c) *Where to apply.* Application for price support should be made at the office of the PMA county committee which keeps the farm-program records for the farm.

(d) *When to apply.* Loans and purchase agreements will be available from the time of harvest through January 31, 1951, and the applicable documents must be signed by the producer and delivered to the county committee not later than such date.

(e) *Eligible producer.* An eligible producer shall be an individual, partnership, association, corporation, or other legal entity producing soybeans in 1950 as

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landowner, landlord, tenant, or sharecropper.

§ 601.503 *Eligible soybeans.* At the time the soybeans are placed under loan or delivered under a purchase agreement, they must meet the following requirements:

(a) The soybeans must have been produced in the continental United States in 1950 by an eligible producer.

(b) The beneficial interest in the soybeans must be in the person tendering the soybeans for loan or for delivery under a purchase agreement, and must always have been in him, or must have been in him and a former producer whom he succeeded before the soybeans were harvested.

(c) The soybeans must be soybeans of any class, grading No. 4 or better and containing not in excess of 14 percent moisture.

(d) The soybeans must not grade "Garlicky" or "Weevily."

(e) If offered as security for a farm-storage loan, the soybeans must have been stored in the granary at least 30 days prior to inspection for measurement, sampling, and sealing, unless otherwise approved by the PMA State committee.

§ 601.504 *Warehouse receipts.* Warehouse receipts representing soybeans in approved warehouse-storage to be placed under loan or delivered under a purchase agreement, must meet the following requirements:

(a) Warehouse receipts must be issued in the name of the producer, must be properly endorsed in blank so as to vest title in the holder, and must be issued by an approved warehouse.

(b) Each warehouse receipt must set forth in its written terms that the soybeans are insured for not less than market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone and tornado, or, in lieu of this statement, it must have stamped or printed thereon the word "Insured."

(c) Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show the gross weight or bushels, class, grade, test weight, moisture, splits, damage, foreign material, and all grading factors set forth in the Official Grain Standards of the United States for Soybeans, and must show whether the soybeans arrived by rail, truck, or barge. In the case of warehouse receipts issued for soybeans delivered by rail or barge, the grading factors on the warehouse receipt or the warehouseman's supplemental certificate must agree with the inbound weight and inspection certificates for the car or barge as shown on the freight certificate.

(d) If the warehouse receipt states that the soybeans are stored "identity preserved," the producer must execute a supplemental certificate and assume responsibility for the quantity and quality indicated thereon.

(e) A separate warehouse receipt must be submitted for each grade and class of soybeans.

(f) The warehouse receipt may be subject to liens for warehouse charges only to the extent indicated in § 601.508 (c).

#### § 601.505. Determination of quantity.

(a) The quantity of soybeans placed under farm-storage loan may be determined either by weight or by measurement. The quantity of soybeans placed under a warehouse-storage loan or delivered under a farm-storage loan or under a purchase agreement shall be determined by weight.

(b) When the quantity is determined by weight, a bushel shall be 60 pounds of soybeans free of foreign material in excess of 3 percent. In determining the quantity of sacked soybeans by weight, a deduction of  $\frac{3}{4}$  of a pound for each sack will be made.

(c) When the quantity of soybeans is determined by measurement, a bushel shall be 1.25 cubic feet of soybeans testing 60 pounds per bushel, and fractional pounds of test weight per bushel shall be disregarded and the quantity determined shall be the following percentages of the quantity determined for 60-pound soybeans:

| For soybeans testing                | Percent |
|-------------------------------------|---------|
| 60 pounds or over                   | 100     |
| 59 pounds or over, but less than 60 | 98      |
| 58 pounds or over, but less than 59 | 97      |
| 57 pounds or over, but less than 58 | 95      |
| 56 pounds or over, but less than 57 | 93      |
| 55 pounds or over, but less than 56 | 92      |
| 54 pounds or over, but less than 55 | 90      |
| 53 pounds or over, but less than 54 | 88      |
| 52 pounds or over, but less than 53 | 87      |
| 51 pounds or over, but less than 52 | 85      |
| 50 pounds or over, but less than 51 | 83      |
| 49 pounds or over, but less than 50 | 82      |

#### § 601.506. Determination of quality.

(a) The class, grade, grading factors, percentage of foreign material, and all other quality factors shall be determined

in accordance with the Official Grain Standards of the United States for Soybeans, whether or not such determinations are made on the basis of an official inspection.

(b) Foreign material which totals 3 percent or less shall not be deducted from the gross weight of the soybeans. If the total weight of foreign material is in excess of 3 percent, the excess shall be deducted from the total weight of soybeans in the determination of the net number of bushels of soybeans. For purposes of this determination, foreign material shall be computed in tenths of one percent.

§ 601.507. *Maturity of loans.* Loans mature on demand but not later than May 31, 1951.

§ 601.508. *Support rates.* Loans will be made, and soybeans delivered under purchase agreements will be purchased, at the support rates set forth in this section:

(a) *County support rates for No. 2, or better, soybeans.* Both farm-storage and warehouse-storage loans will be made at the support rate established for the county in which the soybeans are stored. County support rates per bushel for soybeans of the classes Green Soybeans and Yellow Soybeans meeting the minimum standards for grade No. 2, in accordance with the Official Grain Standards of the United States for Soybeans (effective September 1, 1949), shall be as set forth in this section.

#### ALABAMA

[Rate per bushel for No. 2 or better]

|              |        |
|--------------|--------|
| All counties | \$2.01 |
|--------------|--------|

#### ARKANSAS

|              |        |
|--------------|--------|
| All counties | \$2.01 |
|--------------|--------|

#### DELAWARE

|              |        |
|--------------|--------|
| All counties | \$2.01 |
|--------------|--------|

#### FLORIDA

|              |        |
|--------------|--------|
| All counties | \$2.01 |
|--------------|--------|

#### GEORGIA

|              |        |
|--------------|--------|
| All counties | \$2.01 |
|--------------|--------|

#### ILLINOIS

| County     |        | County     |        |
|------------|--------|------------|--------|
| Adams      | \$2.07 | Grundy     | \$2.11 |
| Alexander  | 2.07   | Hamilton   | 2.03   |
| Bond       | 2.09   | Hancock    | 2.03   |
| Boone      | 2.10   | Hardin     | 2.07   |
| Brown      | 2.03   | Henderson  | 2.03   |
| Bureau     | 2.10   | Henry      | 2.03   |
| Calhoun    | 2.07   | Iroquois   | 2.11   |
| Carroll    | 2.03   | Jackson    | 2.03   |
| Cass       | 2.10   | Jasper     | 2.10   |
| Champaign  | 2.11   | Jefferson  | 2.03   |
| Christian  | 2.11   | Jersey     | 2.03   |
| Clark      | 2.10   | Jo Daviess | 2.03   |
| Clay       | 2.03   | Johnson    | 2.07   |
| Clinton    | 2.03   | Kane       | 2.12   |
| Coles      | 2.11   | Kankakee   | 2.12   |
| Cook       | 2.12   | Kendall    | 2.12   |
| Crawford   | 2.10   | Knox       | 2.03   |
| Cumberland | 2.10   | Lake       | 2.12   |
| De Kalb    | 2.11   | LaSalle    | 2.11   |
| De Witt    | 2.11   | Lawrence   | 2.03   |
| Douglas    | 2.11   | Lee        | 2.10   |
| Du Page    | 2.12   | Livingston | 2.11   |
| Edgar      | 2.11   | Logan      | 2.11   |
| Edwards    | 2.03   | McDonough  | 2.03   |
| Effingham  | 2.10   | McHenry    | 2.11   |
| Fayette    | 2.10   | McLean     | 2.11   |
| Ford       | 2.11   | Macon      | 2.11   |
| Franklin   | 2.07   | Macoupin   | 2.10   |
| Fulton     | 2.09   | Madison    | 2.03   |
| Gallatin   | 2.07   | Marion     | 2.03   |
| Greene     | 2.03   | Marshall   | 2.11   |

#### ILLINOIS—Continued

[Rate per bushel for No. 2 or better]

| County      |        | County     |        |
|-------------|--------|------------|--------|
| Macon       | \$2.11 | Saline     | \$2.07 |
| Macoupin    | 2.07   | Sangamon   | 2.11   |
| Menard      | 2.11   | Schuyler   | 2.03   |
| Mercer      | 2.03   | Scott      | 2.03   |
| Monroe      | 2.03   | Shelby     | 2.11   |
| Montgomery  | 2.10   | Stark      | 2.10   |
| Morgan      | 2.10   | Stephenson | 2.03   |
| Moultrie    | 2.11   | Tazewell   | 2.11   |
| Ogle        | 2.10   | Union      | 2.07   |
| Peoria      | 2.10   | Vermillion | 2.11   |
| Perry       | 2.07   | Wabash     | 2.03   |
| Platt       | 2.11   | Warren     | 2.03   |
| Pike        | 2.07   | Washington | 2.07   |
| Pope        | 2.07   | Wayne      | 2.03   |
| Pulaski     | 2.07   | White      | 2.03   |
| Putnam      | 2.10   | Whiteside  | 2.03   |
| Randolph    | 2.03   | Will       | 2.12   |
| Richland    | 2.03   | Williamson | 2.03   |
| Rock Island | 2.03   | Winnebago  | 2.10   |
| St. Clair   | 2.07   | Woodford   | 2.11   |

#### INDIANA

|             |        |             |        |
|-------------|--------|-------------|--------|
| Adams       | \$2.03 | Lawrence    | \$2.04 |
| Allen       | 2.07   | Madison     | 2.03   |
| Bartholomew | 2.03   | Marion      | 2.03   |
| Benton      | 2.03   | Marshall    | 2.03   |
| Blackford   | 2.03   | Martin      | 2.03   |
| Boone       | 2.03   | Miami       | 2.03   |
| Brown       | 2.03   | Monroe      | 2.03   |
| Carroll     | 2.07   | Montgomery  | 2.07   |
| Cass        | 2.07   | Morgan      | 2.03   |
| Clark       | 2.04   | Newton      | 2.10   |
| Clay        | 2.07   | Noble       | 2.03   |
| Clinton     | 2.07   | Ohio        | 2.04   |
| Crawford    | 2.04   | Orange      | 2.04   |
| Daviess     | 2.03   | Owen        | 2.03   |
| Dearborn    | 2.04   | Parke       | 2.03   |
| Decatur     | 2.03   | Perry       | 2.04   |
| De Kalb     | 2.07   | Pike        | 2.03   |
| Delaware    | 2.03   | Porter      | 2.10   |
| Dubois      | 2.04   | Posey       | 2.03   |
| Elkhart     | 2.03   | Pulaski     | 2.03   |
| Fayette     | 2.03   | Putnam      | 2.07   |
| Floyd       | 2.04   | Randolph    | 2.03   |
| Fountain    | 2.03   | Ripley      | 2.04   |
| Franklin    | 2.03   | Rush        | 2.03   |
| Fulton      | 2.03   | St. Joseph  | 2.03   |
| Gibson      | 2.03   | Scott       | 2.04   |
| Grant       | 2.03   | Shelby      | 2.03   |
| Greene      | 2.03   | Spencer     | 2.04   |
| Hamilton    | 2.03   | Starke      | 2.03   |
| Hancock     | 2.03   | Stauben     | 2.07   |
| Harrison    | 2.04   | Sullivan    | 2.03   |
| Hendricks   | 2.03   | Switzerland | 2.04   |
| Henry       | 2.03   | Tippecanoe  | 2.03   |
| Howard      | 2.03   | Tipton      | 2.03   |
| Huntington  | 2.03   | Union       | 2.03   |
| Jackson     | 2.04   | Vanderburgh | 2.03   |
| Jasper      | 2.10   | Vermillion  | 2.03   |
| Jay         | 2.03   | Vigo        | 2.03   |
| Jefferson   | 2.04   | Wabash      | 2.03   |
| Jennings    | 2.04   | Warren      | 2.03   |
| Johnson     | 2.03   | Warrick     | 2.03   |
| Knox        | 2.07   | Washington  | 2.04   |
| Kosciusko   | 2.03   | Wayne       | 2.03   |
| Lagrange    | 2.03   | Wells       | 2.03   |
| Lake        | 2.10   | White       | 2.03   |
| La Porte    | 2.03   | Whitley     | 2.03   |

#### IOWA

|             |        |            |        |
|-------------|--------|------------|--------|
| Adair       | \$2.07 | Cherokee   | \$2.07 |
| Adams       | 2.07   | Chickasaw  | 2.03   |
| Allamakee   | 2.07   | Clarke     | 2.07   |
| Appanoose   | 2.03   | Clay       | 2.03   |
| Audubon     | 2.03   | Clayton    | 2.03   |
| Benton      | 2.03   | Clinton    | 2.03   |
| Black Hawk  | 2.03   | Crawford   | 2.07   |
| Boone       | 2.03   | Dallas     | 2.03   |
| Bremer      | 2.03   | Davis      | 2.03   |
| Buchanan    | 2.03   | Decatur    | 2.03   |
| Buena Vista | 2.03   | Delaware   | 2.03   |
| Butler      | 2.03   | Des Moines | 2.03   |
| Calhoun     | 2.03   | Dickinson  | 2.07   |
| Carroll     | 2.03   | Dubuque    | 2.03   |
| Cass        | 2.07   | Emmet      | 2.07   |
| Cedar       | 2.03   | Fayette    | 2.03   |
| Cerro Gordo | 2.03   | Floyd      | 2.03   |

## RULES AND REGULATIONS

## IOWA—Continued

[Rate per bushel for No. 2 or better]

| County    |              | County        |              |
|-----------|--------------|---------------|--------------|
| Franklin  | ----- \$2.08 | Monroe        | ----- \$2.07 |
| Fremont   | ----- 2.06   | Montgomery    | ----- 2.07   |
| Greene    | ----- 2.08   | Muscatine     | ----- 2.08   |
| Grundy    | ----- 2.09   | O'Brien       | ----- 2.07   |
| Guthrie   | ----- 2.08   | Osceola       | ----- 2.07   |
| Hamilton  | ----- 2.09   | Page          | ----- 2.06   |
| Hancock   | ----- 2.08   | Palo Alto     | ----- 2.08   |
| Hardin    | ----- 2.09   | Plymouth      | ----- 2.07   |
| Harrison  | ----- 2.07   | Pocahontas    | ----- 2.08   |
| Henry     | ----- 2.08   | Polk          | ----- 2.09   |
| Howard    | ----- 2.07   | Pottawattamie | ----- 2.07   |
| Humboldt  | ----- 2.08   | Poweshiek     | ----- 2.09   |
| Ida       | ----- 2.07   | Ringgold      | ----- 2.06   |
| Iowa      | ----- 2.09   | Sac           | ----- 2.08   |
| Jackson   | ----- 2.09   | Scott         | ----- 2.09   |
| Jasper    | ----- 2.09   | Shelby        | ----- 2.07   |
| Jefferson | ----- 2.07   | Sioux         | ----- 2.06   |
| Johnson   | ----- 2.09   | Story         | ----- 2.09   |
| Jones     | ----- 2.09   | Tama          | ----- 2.09   |
| Keokuk    | ----- 2.08   | Taylor        | ----- 2.06   |
| Kossuth   | ----- 2.07   | Union         | ----- 2.07   |
| Lee       | ----- 2.07   | Van Buren     | ----- 2.07   |
| Linn      | ----- 2.09   | Wapello       | ----- 2.07   |
| Louisa    | ----- 2.08   | Warren        | ----- 2.08   |
| Lucas     | ----- 2.07   | Washington    | ----- 2.08   |
| Lyon      | ----- 2.06   | Wayne         | ----- 2.06   |
| Madison   | ----- 2.08   | Webster       | ----- 2.09   |
| Mahaska   | ----- 2.08   | Winnebago     | ----- 2.07   |
| Marion    | ----- 2.08   | Winneshiek    | ----- 2.07   |
| Marshall  | ----- 2.09   | Woodbury      | ----- 2.07   |
| Mills     | ----- 2.07   | Worth         | ----- 2.07   |
| Mitchell  | ----- 2.07   | Wright        | ----- 2.08   |
| Monona    | ----- 2.07   |               |              |

## KANSAS

|             |        |               |        |
|-------------|--------|---------------|--------|
| Allen       | \$2.03 | Linn          | \$2.04 |
| Anderson    | 2.04   | Lyon          | 2.04   |
| Atchison    | 2.05   | McPherson     | 2.02   |
| Barber      | 2.00   | Marion        | 2.03   |
| Barton      | 2.00   | Marshall      | 2.04   |
| Bourbon     | 2.03   | Miami         | 2.04   |
| Brown       | 2.05   | Mitchell      | 2.01   |
| Butler      | 2.02   | Montgomery    | 2.03   |
| Chase       | 2.03   | Morris        | 2.03   |
| Chautauqua  | 2.03   | Nemaha        | 2.05   |
| Cherokee    | 2.03   | Neosho        | 2.03   |
| Clay        | 2.03   | Osage         | 2.04   |
| Cloud       | 2.02   | Osborne       | 2.00   |
| Coffey      | 2.04   | Ottawa        | 2.02   |
| Cowley      | 2.02   | Phillips      | 1.99   |
| Crawford    | 2.03   | Pottawattamie | 2.04   |
| Dickinson   | 2.03   | Pratt         | 2.00   |
| Doniphan    | 2.05   | Reno          | 2.01   |
| Douglas     | 2.04   | Republic      | 2.02   |
| Elk         | 2.03   | Rice          | 2.01   |
| Ellsworth   | 2.01   | Riley         | 2.04   |
| Franklin    | 2.04   | Rooks         | 1.99   |
| Geary       | 2.03   | Russell       | 2.00   |
| Greenwood   | 2.03   | Saline        | 2.02   |
| Harper      | 2.01   | Sedgwick      | 2.02   |
| Harvey      | 2.02   | Shawnee       | 2.04   |
| Jackson     | 2.05   | Smith         | 2.00   |
| Jefferson   | 2.05   | Stafford      | 2.00   |
| Jowell      | 2.01   | Sumner        | 2.02   |
| Johnson     | 2.05   | Wabaunsee     | 2.04   |
| Kingman     | 2.01   | Washington    | 2.03   |
| Labette     | 2.03   | Wilson        | 2.03   |
| Leavenworth | 2.05   | Woodson       | 2.03   |
| Lincoln     | 2.01   | Wyandotte     | 2.05   |

## KENTUCKY

All counties..... \$2.03

## LOUISIANA

All counties..... \$2.01

## MARYLAND

All counties..... \$2.01

## MICHIGAN

| County  |        | County    |        |
|---------|--------|-----------|--------|
| Allegan | \$2.03 | Clare     | \$2.00 |
| Arenac  | 1.99   | Clinton   | 2.03   |
| Barry   | 2.03   | Eaton     | 2.04   |
| Bay     | 2.01   | Genesee   | 2.03   |
| Berrien | 2.05   | Gladwin   | 2.00   |
| Branch  | 2.06   | Gratiot   | 2.02   |
| Calhoun | 2.05   | Hillsdale | 2.07   |
| Cass    | 2.05   | Huron     | 2.01   |

## MICHIGAN—Continued

[Rate per bushel for No. 2 or better]

| <i>County</i>  |        | <i>County</i>    |        |
|----------------|--------|------------------|--------|
| Ingham -----   | \$2.05 | Muskegon ----    | \$2.02 |
| Ionia -----    | 2.03   | Newaygo ----     | 2.01   |
| Isabella ----- | 2.01   | Oakland -----    | 2.05   |
| Jackson -----  | 2.06   | Oceana -----     | 2.01   |
| Kalamazoo --   | 2.04   | Ottawa -----     | 2.03   |
| Kent -----     | 2.03   | Saginaw -----    | 2.02   |
| Lapeer -----   | 2.03   | St. Clair -----  | 2.04   |
| Lenawee -----  | 2.07   | St. Joseph ----- | 2.05   |
| Livingston --  | 2.05   | Sanilac -----    | 2.02   |
| Macomb -----   | 2.05   | Shiawassee --    | 2.03   |
| Mecosta -----  | 2.01   | Tuscola -----    | 2.02   |
| Midland -----  | 2.01   | Van Buren -----  | 2.04   |
| Monroe -----   | 2.07   | Washtenaw -----  | 2.06   |
| Montcalm ---   | 2.02   | Wayne -----      | 2.06   |

## MINNESOTA

|               |        |              |        |
|---------------|--------|--------------|--------|
| Anoka         | \$2.03 | Mower        | \$2.06 |
| Becker        | 1.99   | Murray       | 2.05   |
| Benton        | 2.01   | Nicollet     | 2.04   |
| Big Stone     | 2.01   | Nobles       | 2.05   |
| Blue Earth    | 2.06   | Norman       | 1.98   |
| Brown         | 2.05   | Olmsted      | 2.06   |
| Carver        | 2.03   | Otter Tail   | 2.00   |
| Chippewa      | 2.03   | Pine         | 2.01   |
| Chisago       | 2.03   | Pipestone    | 2.04   |
| Clay          | 1.99   | Polk         | 1.98   |
| Cottonwood    | 2.05   | Pope         | 2.01   |
| Crow Wing     | 2.00   | Ramsey       | 2.03   |
| Dakota        | 2.04   | Redwood      | 2.04   |
| Dodge         | 2.06   | Renville     | 2.03   |
| Douglas       | 2.00   | Rice         | 2.05   |
| Faribault     | 2.06   | Rock         | 2.04   |
| Fillmore      | 2.06   | Scott        | 2.04   |
| Freeborn      | 2.06   | Sherburne    | 2.02   |
| Goodhue       | 2.05   | Sibley       | 2.03   |
| Grant         | 2.00   | Stearns      | 2.02   |
| Hennepin      | 2.03   | Steele       | 2.06   |
| Houston       | 2.06   | Stevens      | 2.00   |
| Isanti        | 2.02   | Swift        | 2.02   |
| Jackson       | 2.05   | Todd         | 2.00   |
| Kanabec       | 2.01   | Traverse     | 2.00   |
| Kandiyohi     | 2.03   | Wabasha      | 2.05   |
| Lac Qui Parle | 2.03   | Wadena       | 2.00   |
| Le Sueur      | 2.05   | Waseca       | 2.06   |
| Lincoln       | 2.04   | Washington   | 2.03   |
| Lyon          | 2.04   | Watsonwan    | 2.06   |
| McLeod        | 2.03   | Wilkin       | 2.00   |
| Mahnomen      | 1.99   | Winona       | 2.06   |
| Martin        | 2.06   | Wright       | 2.03   |
| Meeker        | 2.03   | Yellow Medi- |        |
| Mille Lacs    | 2.01   | cine         | 2.03   |
| Morrison      | 2.00   |              |        |

## MISSISSIPPI

All counties..... \$2.01

## MISSOURI

| County         |        | County     |        |
|----------------|--------|------------|--------|
| Adair          | \$2.06 | Dallas     | \$2.04 |
| Andrew         | 2.05   | Davless    | 2.05   |
| Atchison       | 2.05   | De Kalb    | 2.05   |
| Audrain        | 2.07   | Dent       | 2.04   |
| Barry          | 2.03   | Douglas    | 2.03   |
| Barton         | 2.03   | Dunklin    | 2.03   |
| Bates          | 2.04   | Franklin   | 2.06   |
| Benton         | 2.04   | Gasconade  | 2.05   |
| Bollinger      | 2.04   | Gentry     | 2.05   |
| Boone          | 2.06   | Greene     | 2.03   |
| Buchanan       | 2.05   | Grundy     | 2.05   |
| Butler         | 2.04   | Harrison   | 2.05   |
| Caldwell       | 2.05   | Henry      | 2.04   |
| Callaway       | 2.06   | Hickory    | 2.04   |
| Camden         | 2.05   | Holt       | 2.05   |
| Cape Girardeau | 2.05   | Howard     | 2.06   |
| Carroll        | 2.05   | Howell     | 2.03   |
| Carter         | 2.04   | Iron       | 2.04   |
| Cass           | 2.04   | Jackson    | 2.05   |
| Cedar          | 2.03   | Jasper     | 2.03   |
| Chariton       | 2.06   | Jefferson  | 2.06   |
| Christian      | 2.03   | Johnson    | 2.04   |
| Clark          | 2.07   | Knox       | 2.07   |
| Clay           | 2.05   | Laclede    | 2.04   |
| Clinton        | 2.05   | Lafayette  | 2.05   |
| Cole           | 2.05   | Lawrence   | 2.03   |
| Cooper         | 2.05   | Lewis      | 2.07   |
| Crawford       | 2.05   | Lincoln    | 2.07   |
| Dade           | 2.03   | Linn       | 2.06   |
|                |        | Livingston | 2.06   |

## MISSOURI—Continued

[Rate per bushel for No. 2 or better]

| County      |             | County        |              |
|-------------|-------------|---------------|--------------|
| McDonald    | --- \$2. 03 | Randolph      | ---- \$2. 06 |
| Macon       | ----- 2. 06 | Ray           | ----- 2. 06  |
| Madison     | ----- 2. 04 | Reynolds      | ----- 2. 04  |
| Maries      | ----- 2. 05 | Ripley        | ----- 2. 03  |
| Marion      | ----- 2. 07 | St. Charles   | --- 2. 07    |
| Mercer      | ----- 2. 05 | St. Clair     | ----- 2. 04  |
| Miller      | ----- 2. 05 | St. Francois  | --- 2. 05    |
| Mississippi | --- 2. 04   | St. Louis     | ----- 2. 07  |
| Moniteau    | ----- 2. 05 | Ste Genevieve | --- 2. 05    |
| Monroe      | ----- 2. 07 | Saline        | ----- 2. 06  |
| Montgomery  | --- 2. 07   | Schuyler      | ----- 2. 03  |
| Morgan      | ----- 2. 05 | Scotland      | ----- 2. 07  |
| New Madrid  | --- 2. 03   | Scott         | ----- 2. 04  |
| Newton      | ----- 2. 03 | Shannon       | --- 2. 04    |
| Nodaway     | ----- 2. 05 | Shelby        | ----- 2. 07  |
| Oregon      | ----- 2. 03 | Stoddard      | ----- 2. 03  |
| Osage       | ----- 2. 05 | Stone         | ----- 1. 03  |
| Czark       | ----- 2. 03 | Sullivan      | ----- 2. 06  |
| Femiscot    | ----- 2. 03 | Taney         | ----- 2. 03  |
| Perry       | ----- 2. 05 | Texas         | ----- 2. 04  |
| Pettis      | ----- 2. 04 | Vernon        | ----- 2. 03  |
| Phelps      | ----- 2. 04 | Warren        | ----- 2. 07  |
| Pike        | ----- 2. 07 | Washington    | --- 2. 05    |
| Platte      | ----- 2. 05 | Wayne         | ----- 2. 04  |
| Polk        | ----- 2. 03 | Webster       | ----- 2. 04  |
| Pulaski     | ----- 2. 04 | Worth         | ----- 2. 05  |
| Putnam      | ----- 2. 06 | Wright        | ----- 2. 04  |
| Ralls       | ----- 2. 07 |               |              |

## NEBRASKA

|           |        |            |        |
|-----------|--------|------------|--------|
| Adams     | \$2.01 | Lancaster  | \$2.06 |
| Antelope  | 2.03   | Madison    | 2.04   |
| Boone     | 2.03   | Merrick    | 2.03   |
| Buffalo   | 2.00   | Nance      | 2.03   |
| Burt      | 2.06   | Nemaha     | 2.05   |
| Butler    | 2.05   | Nuckolls   | 2.01   |
| Cass      | 2.06   | Otoe       | 2.00   |
| Cedar     | 2.04   | Pawnee     | 2.05   |
| Clay      | 2.02   | Pierce     | 2.04   |
| Colfax    | 2.05   | Platte     | 2.04   |
| Cuming    | 2.06   | Polk       | 2.04   |
| Dakota    | 2.08   | Richardson | 2.05   |
| Dixon     | 2.05   | Saline     | 2.04   |
| Dodge     | 2.06   | Sarpy      | 2.00   |
| Douglas   | 2.06   | Saunders   | 2.00   |
| Fillmore  | 2.03   | Seward     | 2.05   |
| Franklin  | 1.99   | Stanton    | 2.05   |
| Gage      | 2.04   | Thayer     | 2.02   |
| Hall      | 2.01   | Thurston   | 2.00   |
| Hamilton  | 2.03   | Washington | 2.06   |
| Jefferson | 2.03   | Wayne      | 2.05   |
| Johnson   | 2.05   | Webster    | 2.00   |
| Kearney   | 2.00   | York       | 2.04   |
| Knox      | 2.03   |            |        |

## NEW JERSEY

All counties..... \$2.01

## NEW YORK

All counties..... \$2.01

## NORTH CAROLINA

All counties..... \$2.01

## NORTH DAKOTA

| County       |        | County        |        |
|--------------|--------|---------------|--------|
| Barnes ----- | \$1.98 | Ransom -----  | \$1.98 |
| Cass -----   | 1.99   | Richland ---- | 1.99   |
| Grand Forks_ | 1.98   | Sargent ----- | 1.98   |
| Griggs ----- | 1.97   | Steele -----  | 1.98   |
| Nelson ----- | 1.97   | Trall -----   | 1.99   |

## OHIO

|            |        |           |        |
|------------|--------|-----------|--------|
| Adams      | \$2.04 | Crawford  | \$2.07 |
| Allen      | 2.07   | Cuyahoga  | 2.08   |
| Ashland    | 2.07   | Darke     | 2.05   |
| Ashtabula  | 2.08   | Defiance  | 2.08   |
| Athens     | 2.04   | Delaware  | 2.08   |
| Auglaize   | 2.06   | Erle      | 2.08   |
| Belmont    | 2.05   | Fairfield | 2.05   |
| Brown      | 2.04   | Fayette   | 2.05   |
| Butler     | 2.04   | Franklin  | 2.05   |
| Carroll    | 2.06   | Fulton    | 2.08   |
| Champaign  | 2.05   | Gallia    | 2.04   |
| Clark      | 2.05   | Gauga     | 2.08   |
| Clermont   | 2.04   | Greene    | 2.05   |
| Clinton    | 2.04   | Guernsey  | 2.05   |
| Columbiana | 2.06   | Hamilton  | 2.04   |
| Coshocton  | 2.06   | Hancock   | 2.08   |

## OHIO—Continued

[Rate per bushel for No. 2 or better]

| County     | County | County     | County |
|------------|--------|------------|--------|
| Hardin     | \$2.07 | Noble      | \$2.05 |
| Harrison   | 2.05   | Ottawa     | 2.08   |
| Henry      | 2.08   | Paulding   | 2.08   |
| Highland   | 2.04   | Perry      | 2.05   |
| Hocking    | 2.04   | Pickaway   | 2.05   |
| Holmes     | 2.06   | Pike       | 2.04   |
| Huron      | 2.08   | Portage    | 2.08   |
| Jackson    | 2.04   | Preble     | 2.05   |
| Jefferson  | 2.05   | Putnam     | 2.08   |
| Knox       | 2.06   | Richland   | 2.07   |
| Lake       | 2.08   | Ross       | 2.04   |
| Lawrence   | 2.04   | Sandusky   | 2.08   |
| Licking    | 2.05   | Scioto     | 2.04   |
| Logan      | 2.06   | Seneca     | 2.08   |
| Lorain     | 2.08   | Shelby     | 2.06   |
| Lucas      | 2.08   | Stark      | 2.07   |
| Madison    | 2.05   | Summit     | 2.08   |
| Mahoning   | 2.07   | Trumbull   | 2.08   |
| Marion     | 2.08   | Tuscarawas | 2.06   |
| Medina     | 2.08   | Union      | 2.06   |
| Meigs      | 2.04   | Van Wert   | 2.07   |
| Mercer     | 2.06   | Vinton     | 2.04   |
| Miami      | 2.05   | Warren     | 2.04   |
| Monroe     | 2.05   | Washington | 2.04   |
| Montgomery | 2.05   | Wayne      | 2.07   |
| Morgan     | 2.05   | Williams   | 2.08   |
| Morrow     | 2.06   | Wood       | 2.08   |
| Muskingum  | 2.05   | Wyandot    | 2.07   |

## OKLAHOMA

All counties.....\$2.03

## PENNSYLVANIA

All counties.....\$2.01

## SOUTH CAROLINA

All counties.....\$2.01

## SOUTH DAKOTA

| County     | County | County    | County |
|------------|--------|-----------|--------|
| Bon Homme  | \$2.03 | Lake      | \$2.02 |
| Brookings  | 2.02   | Lincoln   | 2.05   |
| Clark      | 2.00   | McCook    | 2.03   |
| Clay       | 2.04   | Marshall  | 1.99   |
| Codington  | 2.00   | Miner     | 2.01   |
| Day        | 1.99   | Minnehaha | 2.04   |
| Deuel      | 2.02   | Moody     | 2.03   |
| Grant      | 2.01   | Roberts   | 2.00   |
| Hamlin     | 2.01   | Turner    | 2.04   |
| Hanson     | 2.03   | Union     | 2.05   |
| Hutchinson | 2.02   | Yankton   | 2.03   |
| Kingsbury  | 2.02   |           |        |

## TENNESSEE

All counties.....\$2.01

## TEXAS

All counties.....\$2.03

## VIRGINIA

All counties.....\$2.01

## WEST VIRGINIA

All counties.....\$2.01

## WISCONSIN

| County      | County | County    | County |
|-------------|--------|-----------|--------|
| Adams       | \$2.07 | Lafayette | \$2.08 |
| Barron      | 2.04   | Lincoln   | 2.04   |
| Brown       | 2.06   | Manitowoc | 2.07   |
| Buffalo     | 2.06   | Marathon  | 2.05   |
| Burnett     | 2.03   | Marquette | 2.07   |
| Calumet     | 2.07   | Milwaukee | 2.10   |
| Chippewa    | 2.05   | Monroe    | 2.07   |
| Clark       | 2.05   | Oconto    | 2.05   |
| Columbia    | 2.08   | Outagamie | 2.06   |
| Crawford    | 2.07   | Ozaukee   | 2.09   |
| Dane        | 2.08   | Pepin     | 2.06   |
| Dodge       | 2.08   | Pierce    | 2.05   |
| Dunn        | 2.05   | Polk      | 2.04   |
| Eau Claire  | 2.05   | Portage   | 2.06   |
| Fond du Lac | 2.08   | Price     | 2.03   |
| Grant       | 2.08   | Racine    | 2.11   |
| Green       | 2.08   | Richland  | 2.07   |
| Green Lake  | 2.07   | Rock      | 2.09   |
| Iowa        | 2.07   | Rusk      | 2.04   |
| Jackson     | 2.06   | St. Croix | 2.05   |
| Jefferson   | 2.08   | Sauk      | 2.03   |
| Juneau      | 2.07   | Shawano   | 2.05   |
| Kenosha     | 2.11   | Sheboygan | 2.08   |
| La Crosse   | 2.07   | Taylor    | 2.04   |

## WISCONSIN—Continued

[Rate per bushel for No. 2 or better]

| County      | County | County    | County |
|-------------|--------|-----------|--------|
| Trempealeau | \$2.08 | Waukesha  | \$2.09 |
| Vernon      | 2.07   | Waupaca   | 2.08   |
| Walworth    | 2.09   | Wausara   | 2.07   |
| Washburn    | 2.03   | Winnebago | 2.07   |
| Washington  | 2.09   | Wood      | 2.08   |

(b) *Variations for classes.* County support rates per bushel for soybeans of the classes Black Soybeans, Brown Soybeans, and Mixed Soybeans meeting the minimum standards for grade No. 2, in accordance with the Official Grain Standards of the United States for Soybeans, shall be 20 cents per bushel less than the support rates for the classes Green Soybeans and Yellow Soybeans.

Discounts and premiums for other eligible grades and qualities of all classes of soybeans shall be as set forth under paragraph (c) of this section.

(c) *Discounts and premiums.* The basic support rates specified for all classes of soybeans in paragraph (a) of this section shall be adjusted by the discounts and premiums listed below, to determine the support rate for soybeans of other eligible grades.

## SCHEDULE OF PREMIUMS AND DISCOUNTS ON BASIC SUPPORT RATE FOR 1950 CROP SOYBEANS

| Test weight discounts            |       | Moisture—premiums                 |       |
|----------------------------------|-------|-----------------------------------|-------|
| Pounds                           | Cents | Percent                           | Cents |
| 53.....                          | 1/2   | Below 11.3.....                   | 0     |
| 52.....                          | 1     | 11.3-11.7 both inclusive.....     | 5     |
| 51.....                          | 1 1/2 | 11.8-12.2 both inclusive.....     | 4     |
| 50.....                          | 2     | 12.3-12.7 both inclusive.....     | 3     |
| 49.....                          | 2 1/2 | 12.8-13.2 both inclusive.....     | 2     |
|                                  |       | 13.3-13.7 both inclusive.....     | 1     |
|                                  |       | 13.8-14.0 both inclusive.....     | 0     |
| Not eligible if below 49 pounds. |       | Not eligible if above 14 percent. |       |

1 Round down to nearest pound (drop fractions).

| Splits—discounts                  |       | Damage—discounts                   |       |
|-----------------------------------|-------|------------------------------------|-------|
| Percent                           | Cents | Percent                            | Cents |
| 20.1-25.0 both inclusive.....     | 1/2   | 4.0.....                           | 1/4   |
| 25.1-30.0 both inclusive.....     | 3/4   | 5.0.....                           | 1/2   |
| 30.1-35.0 both inclusive.....     | 1     | 6.0.....                           | 3/4   |
| 35.1-40.0 both inclusive.....     | 1 1/4 | 7.0.....                           | 2     |
| Not eligible if above 40 percent. |       | 8.0.....                           | 2 1/4 |
|                                   |       | Not eligible if above 8.5 percent. |       |

1 Round to nearest whole percentage (drop fractions of 0.5).

(d) *Warehouse charges.* The warehouse receipt and the soybeans represented thereby may be subject to liens for warehouse charges only from September 1, 1950, or the date the warehouse charges begin, whichever is later.

In the case of soybeans placed under loan or delivered to CCC under a purchase agreement in an approved warehouse under the Uniform Grain Storage Agreement, evidence must be submitted with the warehouse receipt that all warehouse charges, except receiving charges, have been prepaid through May 31, 1951, or a deduction as shown below will be made from the support rate: *Provided*, That CCC will not assume any charges in excess of those provided under the Uniform Grain Storage Agreement applicable to the 1950 crop.

DEDUCTION FROM APPLICABLE SUPPORT RATE IF ALL WAREHOUSE CHARGES, EXCEPT RECEIVING CHARGES, HAVE NOT BEEN PREPAID THROUGH MAY 31, 1951

| Area   | Cents per bushel |
|--|------------------|
| Area I: Arizona, California, Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Washington, Utah.....  | 10               |
| Area II: Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin.....   | 10 3/4           |
| Area III: Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia..... | 11               |
| Area IV: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.....  | 11 1/2           |

In the case of soybeans placed under loan or delivered to CCC under a purchase agreement in an approved warehouse operated by an Eastern common carrier or any other approved warehouse not under the Uniform Grain Storage Agreement, evidence must be submitted with the warehouse receipt that all warehouse charges, except receiving and loading out charges, have been prepaid through May 31, 1951, or all such charges will be deducted from the support rate: *Provided*, That CCC will assume the receiving and loading out charges or reimburse the producer if he has prepaid such charges.

(e) *Track-loading.* A track-loading payment of 2 cents per bushel will be made to the producer on soybeans delivered to CCC on track at a country point.

(f) *Settlement—(1) Loans.* Settlement on soybeans delivered to CCC under farm storage loans will be made at the support rate for the approved point of delivery, and settlement on soybeans stored "identity preserved" under warehouse storage loans will be made at the support rate for the point of storage. The support rate will be for the grade and quality of the total quantity of soybeans delivered.

If the soybeans are, upon delivery, of a grade and/or quality for which no support rate has been established, the settlement value shall be the support rate established for the grade and/or quality of the soybeans when placed under loan, less the difference, if any, at the time of delivery, between the market price for the grade and/or quality placed under loan and the market price of the soybeans delivered, as determined by CCC.

(2) *Purchase agreements.* Soybeans delivered to CCC under a purchase agreement must meet the eligibility requirements for soybeans placed under loan. The purchase rate per bushel of eligible soybeans will be the applicable support rate established for the approved point of delivery.

Issued this 27th day of September, 1950.

[SEAL] **ELMER F. KRUZE,**  
Vice President,  
Commodity Credit Corporation.

Approved:  
**RALPH S. TRIGG,**  
President,  
Commodity Credit Corporation.

[F. R. Doc. 50-5841; Filed, Oct. 2, 1950;  
8:43 a. m.]

## TITLE 7—AGRICULTURE

### Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Orange Reg. 340]

#### PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

##### LIMITATION OF SHIPMENTS

###### Correction

In Federal Register Document 50-8204, published at page 6215 in the issue for Saturday, September 16, 1950, the title appearing under the signature of Floyd F. Hedlund should read "*Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.*"

## TITLE 12—BANKS AND BANKING

### Chapter II—Federal Reserve System

#### Subchapter A—Board of Governors of the Federal Reserve System

[Reg. W]

#### PART 222—CONSUMER INSTALMENT CREDIT INTERPRETATIONS

- Sec.  
222.103 Calculation of maturity for improvement credit.  
222.104 Construction of or repairs to detached structure.  
222.105 Home improvement "materials and articles."  
222.106 Purchase or discount of credits extended pursuant to pre-effective date commitment.

**AUTHORITY:** §§ 222.103 to 222.106 issued under sec. 5, 40 Stat. 415, as amended; Title VI, Pub. Law 774, 81st Cong., 50 U. S. C. App. 5, E. O. 8843, Aug. 9, 1941, 6 F. R. 4035, 3 CFR, 1941 Supp.

§ 222.103 *Calculation of maturity for improvement credit.* A question has been received concerning the calculation of the maximum maturity in the case of an instalment sale of an article listed in Group D of § 222.9.

Under § 222.6 (b) the maximum maturity in the case of an instalment sale must be calculated from "the actual date of the \* \* \* delivery of the article sold." However, where there is a bona fide delay in the completed delivery of a Group D article because of the time required for installation or construction, "the actual date of the \* \* \* delivery of the listed article sold" for the purposes of this provision is any date no later than the date of completion of installation or construction. It is to be noted that the foregoing does not apply with respect to the time for obtaining the down payment required for an article listed in Group D. Under § 222.3 (c) "in the case of an article listed in Group D, the down payment shall be obtained at or before the time of beginning the agreed upon repairs, alterations, or improvements"

§ 222.104 *Construction of or repairs to detached structure.* Questions have been received as to whether instalment credit (a) for the construction of a detached

garage on a lot already occupied by a house, or (b) for repairs or alterations to such a garage previously built, is subject to this part.

A garage so constructed would be in connection with an existing structure and would not be a structure "designed exclusively for nonresidential use" within the meaning of Group D of § 222.9. However, the Board's view is that such a garage would be an "other entire structure" within the meaning of the exemption in § 222.7 (h) (1). Consequently, instalment credit for the construction of the garage would not be subject to this part.

On the other hand, instalment credit for repairs or alterations to such a garage previously built, would not be affected by § 222.7 (h) (1) and, therefore, in the Board's view would be subject to the terms applicable in the case of a Group D article.

Whether or not a garage is "detached" must depend upon the facts and circumstances of the particular case. For example, the mere fact that a concrete sidewalk or fence may connect the house with the garage normally would not prevent the garage from being a detached garage and, therefore, an "other entire structure" within the meaning of § 222.7 (h) (1). A rigid structural connection, however, such as an enclosed passageway or breezeway would prevent the garage from being an "other entire structure"

§ 222.105 *Home improvement "materials and articles"* Certain questions have been received concerning the application of Group D of § 222.9. The Board is of the view that Group D includes, but is not limited to, the following:

Air conditioning systems.  
Attic ventilating fans.  
Garbage disposal units and garbage incinerators.  
Water heaters.  
Entire heating systems and heating units for furnaces (including oil burners, gas conversion burners, and stokers).  
Lighting fixtures.  
Electric generating plants.  
Electric wiring.  
Gas or water piping.  
Butane, propane, or similar automatic gas systems or containers.  
Water pumps and pumping systems.  
Plumbing and sanitary fixtures.  
Fencing.  
Landscaping.  
Sidewalks and driveways.  
Awnings, marquees, storm doors and windows, screens, venetian blinds and shades.  
Septic tanks.

In answer to other inquiries the Board is of the view that Group D does not include the following:

Space heaters (heat generating units designed to heat directly the space in which they are located and not designed to transmit heat to other spaces by means of pipes or ducts).  
Portable window fans.

§ 222.106 *Purchase or discount of credits extended pursuant to pre-effective date commitment.* Section 222.8 (h) permits the performance of any valid contract or obligation entered into prior to September 18, 1950, even though such performance may result in an extension

of instalment credit subsequent to that date on terms which do not conform with this part. Section 222.102 set out certain general principles regarding the application of § 222.8 (h). The question now asked relates to what evidence a Registrant shall hold in its files to establish the fact that a nonconforming contract it has purchased from an originating Registrant was the result of a pre-effective date contract between that Registrant and the obligor.

Section 222.8 (e) provides that the prohibitions of this part (including the prohibitions of § 222.2 (a)) shall not apply to a Registrant with respect to any failure to comply with this part in connection with an obligation purchased, discounted or acquired as collateral from another Registrant if when so purchased, discounted or acquired the obligation did not show on its face any failure to comply. Section 222.8 (a) provides that every Registrant shall preserve for the life of the obligation to which they relate such records as are relevant to establishing whether or not a credit is in conformity with the requirements of this part.

Application of the sections mentioned above places on a Registrant holding paper which on its face does not conform with this part the burden of proof that the paper does in fact conform. Accordingly, the Board feels that it is not practicable to lay down specific rules as to the evidence to be obtained in such cases. In that connection, statements from the originating Registrant that the nonconforming obligation resulted from a pre-September 18, 1950 commitment or the furnishing of dealer lists of pre-September 18, 1950 orders for listed articles may not in themselves be sufficient to satisfy the responsibility of the Registrant to have in its files evidence to show that the paper it holds subject to this part is in conformity with the terms of this part.

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,  
[SEAL] S. R. CARPENTER,  
Secretary.

[F. R. Doc. 50-8618; Filed, Oct. 2, 1950;  
8:45 a. m.]

[Reg. V]

#### PART 223—LOAN GUARANTEES FOR DEFENSE PRODUCTION

1. Part 223 is hereby revised effective September 27, 1950, to read as follows:

- Sec.  
223.1 Authority.  
223.2 Objectives of Federal Reserve System.  
223.3 Procedures.  
223.4 Responsibility of Federal Reserve Banks.  
223.5 Rates and fees.  
223.6 Reports.

**AUTHORITY:** §§ 223.1 to 223.6 issued under Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950; 15 F. R. 6105.

§ 223.1 *Authority.* This part is based upon and issued pursuant to the Defense Production Act of 1950 (herein referred to as the "act") and Executive Order No. 10161, dated September 9, 1950 (herein referred to as the "order"), and after



consultation with the heads of the guaranteeing agencies designated in the act and the order, namely, the Department of the Army, the Department of the Navy, the Department of the Air Force, the Department of Commerce, the Department of the Interior, the Department of Agriculture, and the General Services Administration.

§ 223.2 *Objectives of Federal Reserve System.* In carrying out its functions under the act and the order, it will be the objective of the Federal Reserve System to facilitate and expedite to the greatest extent possible the financing of contractors, subcontractors, and other persons having contracts or engaged in operations deemed by the guaranteeing agencies to be necessary to expedite production and deliveries or services under Government contracts for the procurement of materials or the performance of services for the national defense. The Board of Governors of the Federal Reserve System (herein referred to as the "Board") and the Federal Reserve Banks will cooperate fully with the guaranteeing agencies in order to achieve this objective and will follow in general and to the extent applicable procedures developed from experience obtained in the administration of the V-loan and T-loan programs during World War II.

§ 223.3 *Procedures—(a) Applications.* Any private financing institution may submit to the Federal Reserve Bank of its district an application for a guarantee of a loan to an eligible borrower. Such application shall be in such form and contain such information as the Board may prescribe after consultation with the guaranteeing agencies.

(b) *Eligibility of borrower.* No loan shall be guaranteed unless it shall first be determined that the contract or other operation of the prospective borrower to be financed by such loan is one which is deemed by the guaranteeing agency involved to be necessary to expedite production and deliveries or services under a Government contract for the procurement of materials or the performance of services for the national defense. Such determination will be made in each case by a duly authorized certifying officer of the appropriate guaranteeing agency or in such other manner as the guaranteeing agency may prescribe. The determination will be made upon the basis of information contained in the application and accompanying papers filed by the applicant financing institution, unless in the circumstances of a particular case it appears that further information is necessary.

(c) *Approval of guarantees.* Each application by a financing institution for a loan guarantee will be subject to approval by the appropriate guaranteeing agency in Washington or, to such extent as the guaranteeing agency may prescribe, by the Federal Reserve Bank to which the application is submitted. In any case in which an application is required to be submitted to Washington for approval, the Federal Reserve Bank will transmit the application, together with all necessary supporting information and the recommendation of the Federal Reserve Bank, through the

Board of Governors to the guaranteeing agency involved. Subject to determination of the borrower's eligibility, if the application is approved by a duly authorized contracting officer of the guaranteeing agency, such contracting officer will authorize the Federal Reserve Bank to execute and deliver the guarantee on behalf of the guaranteeing agency. Such authorization will be transmitted to the Federal Reserve Bank through the Board of Governors; and, thereupon, the Federal Reserve Bank, acting as fiscal agent of the United States, will execute and deliver the guarantee on behalf of the guaranteeing agency in accordance with the terms of the authorization. In any case in which the Federal Reserve Bank is authorized by a guaranteeing agency to approve applications for guarantees, the Reserve Bank, if it approves the application and subject to determination of the borrower's eligibility, will execute and deliver the guarantee without submission of the application for prior approval by any officer of the guaranteeing agency; but the Reserve Bank will promptly notify the guaranteeing agency of the execution of such guarantee.

(d) *Other forms and procedures.* The Board will prescribe from time to time, after consultation with the guaranteeing agencies, forms to be followed in the execution of guarantees pursuant to this part and such other forms as may be necessary. The Board will also prescribe, after consultation with the guaranteeing agencies, procedures with respect to such matters as the purchase of guaranteed loans by the Federal Reserve Banks as fiscal agents, the handling and disposition by the Federal Reserve Banks of guarantee fees and other fees collected, and such other procedures as may be found necessary.

§ 223.4 *Responsibility of Federal Reserve Banks.* A Federal Reserve Bank in arranging for or making any guarantee on behalf of any guaranteeing agency will be expected to make reasonable efforts to afford such guaranteeing agency the best available protection against possible financial loss consistent with the obtaining of national defense production expeditiously. No Federal Reserve Bank, however, shall have any responsibility or accountability except as agent in taking any action pursuant to or under authority of the act, the order, or this part. Each Federal Reserve Bank will be reimbursed by each guaranteeing agency in the usual manner for all expenses and losses incurred by the Reserve Bank in acting as agent on behalf of such guaranteeing agency, including among such expenses, notwithstanding any other provision of law, attorneys' fees and expenses of litigation.

§ 223.5 *Rates and fees.* Rates of interest, guarantee fees, commitment fees, and other charges which may be made with respect to guaranteed loans and guarantees executed through the agency of any Federal Reserve Bank under this part will from time to time be prescribed, either specifically or by maximum limits or otherwise, by the Board of Governors after consultation with the guaranteeing agencies.

§ 223.6 *Reports.* Each Federal Reserve Bank shall make such reports as the Board of Governors shall require with respect to its operations pursuant to the terms of the act, the order and this part.

2. a. Part 223 is issued by the Board of Governors of the Federal Reserve System under authority of section 301 of the Defense Production Act of 1950, approved September 8, 1950 (herein referred to as the "act") and Executive Order No. 10161, dated September 9, 1950 (herein referred to as the "order").

The purpose of this part is to prescribe regulations, rates and fees, and forms and procedures, with respect to loans guaranteed through the Federal Reserve Banks as fiscal agents of the United States on behalf of the guaranteeing agencies of the Government as authorized by section 301 of the act and section 302 of the order.

b. Section 709 of the act provides that the functions exercised under such act shall be excluded from the operations of the Administrative Procedure Act (60 Stat. 237) except as to the requirements of section 3 thereof.

Because of the urgent need for immediate establishment of procedures for the making of guarantees of loans to finance contracts or operations related to the national defense as authorized by the act and the order, it has been deemed impracticable to consult with industry representatives in the formulation of this part.

Approved this 27th day of September 1950.

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,

[SEAL] S. R. CARPENTER,  
Secretary.

[F. R. Doc. 50-8618; Filed, Oct. 2, 1950;  
8:45 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Rev. of May 10, 1949, Amdt. 11]

#### PART 550—FEDERAL AID TO PUBLIC AGENCIES FOR DEVELOPMENT OF PUBLIC AIRPORTS

##### APPRAISALS

Acting pursuant to the authority vested in me by the Federal Airport Act (60 Stat 170; Pub. Law 377, 79th Cong.), I hereby amend Part 550 of the regulations of the Administrator of Civil Aeronautics as follows:

Section 550.5 (c) is hereby amended by adding at the end thereof a new paragraph (5), as follows:

§ 550.5 *Procedure.* \* \* \*

(c) *Project application.* \* \* \*

(5) *Appraisals.* Each Project Application proposing that the project to which it relates include the acquisition of any land or interest in land, the cost of which, as represented by the Sponsor, is based on other than the actual purchase price (including the amount of the award in eminent domain proceedings) shall be accompanied by at least two independent appraisals of such land or interest in land, made by qualified ap-

praisers having no personal interest, present or prospective, in the land or interest appraised.

(Secs. 1-15, 60 Stat. 170-178, as amended, 49 U. S. C. and Supp., 1101-1114)

This amendment shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] DONALD W. NYROP,  
Acting Administrator of Civil  
Aeronautics:

[F. R. Doc. 50-8622; Filed, Oct. 2, 1950;  
8:45 a. m.]

## TITLE 20—EMPLOYEES' BENEFITS

### Chapter III—Social Security Adminis- tration (Old-Age and Survivors In- surance), Federal Security Agency

[Regs. 3, Further Amended]

#### PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

##### BASIC COMPUTATION OF BENEFITS AND LUMP SUMS

##### Correction

In Federal Register Document 50-8046, published at page 6170 in the issue for Thursday, September 14, 1950, the following changes should be made:

1. In the middle column of the table on page 6171 the 31st line of Column I now reading "\$16.69-\$19.77" should read "\$19.69 to \$19.77"

2. In the third column of the table on page 6171 the 83d line in Column II, now reading "51.10" should read "52.10"

## TITLE 24—HOUSING AND HOUSING CREDIT

### Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 288]

[Controlled Rooms in Rooming Houses and Other Establishments, Rent Reg., Amdt. 285]

#### PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

##### CERTAIN STATES

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respects:

1. Schedule A, Item 30, is amended to describe the counties in the Defense-Rental Area as follows:

Orange County, except (1) the Cities of Anaheim, Fullerton, Huntington Beach, Laguna Beach, Newport Beach, Orange and Santa Ana (2) that portion of Orange County lying south of the south line of Township six south, Range Eight West, San Bernardino Base and Meridian, and the easterly and westerly prolongation of said south line, and (3) that portion of Orange County beginning at the intersection of the north line of Section 12, Township 5 South, Range 12 West, San Bernardino Base and Meridian with the westerly line of said Orange County; running thence from said point of beginning easterly

along Section lines to the northeast corner of Section 9, Township 5 South, Range 11 West, San Bernardino Base and Meridian; thence southerly along section lines to the northerly boundary line of the City of Huntington Beach, thence westerly and southerly along said boundary line of the City of Huntington Beach to the ordinary high tide line of the Pacific Ocean; thence northwesterly along said high tide line to the westerly boundary line of Orange County; thence northeasterly along said boundary line to the point of beginning; including the incorporated City of Seal Beach, and the unincorporated communities of Sunset Beach and Surfside.

Los Angeles County, except (1) Catalina Township, (2) the Cities of Arcadia, Alhambra, Bell, Beverly Hills, Burbank, Gardena, Claremont, Compton, Covina, Culver City, El Monte, El Segundo, Glendale, Hermosa Beach, Huntington Park, Inglewood, La Verne, Long Beach, Lynwood, Manhattan Beach, Maywood, Monrovia, Montebello, Monterey Park, Pasadena, Pomona, Redondo Beach, Santa Monica, Sierra Madre, Signal Hill, South Gate, South Pasadena and Whittier, and (3) all unincorporated localities.

This decontrols the City of Santa Ana in Orange County, California, a portion of the Los Angeles, California, Defense-Rental Area.

2. Schedule A, Item 33, is amended to describe the counties in the Defense-Rental Area as follows:

Merced County; and Stanislaus County, except the Cities of Modesto and Turlock.

This decontrols the City of Turlock in Stanislaus County, California, a portion of the Modesto-Merced, California, Defense-Rental Area.

3. Schedule A, Item 149, is amended to describe the counties in the Defense-Rental Area as follows:

Oakland County, except the Townships of Addison, Brandon, Groveland, Highland, Holly, Independence, Milford, Oakland, Orion, Oxford, Rose and Springfield, and except the Villages of Clarkston, Holly, Lake Orion, Leonard, Milford, Ortonville and Oxford, and except the City of Birmingham; Wayne County, except the City of Plymouth; and MacComb County, except the Townships of Armada, Bruce, Lenox, MacComb Ray, Richmond, Shelby, Sterling and Washington.

In Washtenaw County, the Township of Ann Arbor and the City of Ann Arbor.

This decontrols the City of Plymouth in Wayne County, Michigan, a portion of the Detroit, Michigan, Defense-Rental Area.

4. Schedule A, Item 183c, is amended to read as follows:

(183c) [Revoked and Decontrolled]

This decontrols the entire Elko, Nevada, Defense-Rental Area consisting of Township 5 in Elko County, Nevada, on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

5. Schedule A, Item 212a, is amended to describe the counties in the Defense-Rental Area as follows:

Alamance County, except the City of Burlington and the Town of Graham.

This decontrols the Town of Graham in Alamance County, North Carolina, a portion of the Burlington, North Carolina, Defense-Rental Area.

6. Schedule A, Item 228, is amended to describe the counties in the Defense-Rental Area as follows:

Cuyahoga County, except the Cities of Bedford, Berea, Shaker Heights, and University Heights, and the Villages of Bay, Bentleyville, Brecksville, Chagrin Falls, Gates Mills, Highland Heights, Hunting Valley, Independence, Lynhurst, Moreland Hills, North Olmstead, North Royalton, Orange, Pepper Pike, Seven Hills, Strongsville, Valley View, Westlake and West View; and in Lake County those parts of Kirtland Township included within the corporate limits of the Villages of Waite Hill and Willoughby, and Willoughby Township, except the Villages of Wickliffe.

Lake County, other than Willoughby Township and those parts of Kirtland Township included within the corporate limits of the Villages of Waite Hill and Willoughby.

This decontrols the Village of Strongsville in Cuyahoga County, Ohio, a portion of the Cleveland, Ohio, Defense-Rental Area.

7. In Schedule A, Item 256, all of said Item 256 which relates to Clatsop County, Oregon, is deleted.

This decontrols (1) the City of Astoria in Clatsop County, Oregon, a portion of the Portland-Vancouver, Oregon, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of Clatsop County which immediately prior to this amendment was under rent control, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

8. Schedule A, Item 279a, is amended to read as follows:

(279a) [Revoked and decontrolled.]

This decontrols (1) the City of Georgetown in Georgetown County, South Carolina, a portion of the Georgetown, South Carolina, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Defense-Rental Area on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

All decontrols effective by this amendment, except Items 4, 7 and 8 thereof, are based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Effective September 29, 1950.

Issued this 28th day of September 1950.

ED DUPREE,  
Acting Housing Expediter

[F. R. Doc. 50-8640; Filed, Oct. 2, 1950;  
8:48 a. m.]

## TITLE 32A—NATIONAL DEFENSE, APPENDIX

### Chapter I—National Production Au- thority, Department of Commerce

[NPA Reg. 2]

#### PART 11—BASIC RULES OF THE PRIORITIES SYSTEM

This regulation is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950.



Consultation with industry representatives in advance of the issuance of this regulation has been rendered impracticable by the fact that the regulation affects all trades and industries.

- Sec.  
11.1 What this part does,  
11.2 Definitions.  
11.3 Rating authorized.  
11.4 When ratings may be applied.  
11.5 When ratings may be extended for material.  
11.6 Additional restrictions upon the use of ratings for certain materials.  
11.7 Use of ratings for services.  
11.8 How to apply or extend a rating.  
11.9 Special provisions applicable to extensions; grouping of orders.  
11.10 Rules for acceptance and rejection of rated orders.  
11.11 Report to NPA of improperly rejected orders.  
11.12 Cancellation of ratings.  
11.13 Sequence of filling rated orders.  
11.14 Changes in customers' orders.  
11.15 Delivery or performance dates.  
11.16 Relation of ratings and directives.  
11.17 Use or disposition of material acquired under this part.  
11.18 Delivery for unlawful purposes prohibited.  
11.19 Intra-company deliveries.  
11.20 Inventory restrictions on materials acquired with a rating.  
11.21 Scope of regulations and orders.  
11.22 Defense against claims for damages.  
11.23 Records.  
11.24 Audit and inspection.  
11.25 Reports.  
11.26 Violations.  
11.27 Adjustments and exceptions.  
11.31 List A.

AUTHORITY: §§ 11.1 to 11.31 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

§11.1 *What this part does.* This part states the basic rules of the priorities system to be administered by the National Production Authority in the Department of Commerce. It states what kind of orders are rated orders, how to place them and the preference status of such orders. These rules apply to all business transactions within the jurisdiction of NPA unless more specific regulations, orders or directives of the NPA state otherwise.

§ 11.2 *Definitions.* (a) "Person" means any individual, corporation, partnership, association or any other organized group of persons and includes any agency of the United States or any other government.

(b) "Materials" means any raw, in process, or manufactured commodity, equipment, component, accessory, part, assembly or product of any kind.

(c) "NPA" means the National Production Authority in the Department of Commerce.

(d) "Rated order" means any purchase order, contract or other form of procurement for materials or services bearing the authorized rating and certification provided for in this part.

(e) "Assignment" of a rating. A rating is assigned when the NPA, or a government agency that it has authorized, grants a person the right to use the rating.

(f) "Application" of a rating. A rating is applied when the person to whom it is assigned uses the rating.

(g) "Extension" of a rating. A rating is extended when it is used by the person to whom it was applied or when it is further used by another person to whom it was extended.

§ 11.3 *Rating authorized.* Only a single rating is authorized, to be known as a "DO rating". This rating will be identified by the prefix DO and the two digits identifying the procurement program, which must be furnished a supplier by the person using the rating. All DO rated orders will have equal preferential status as provided in this part.

§ 11.4 *When ratings may be applied.* (a) When a regulation, order or certificate assigns a DO rating to any person either by naming him or by describing the class of persons to which he belongs, that person may apply the DO rating to get delivery of material or the performance of certain services.

(b) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

§ 11.5 *When ratings may be extended for material.* (a) When a person has received a rated order for the delivery of material, he may extend it to get the material which he will deliver on that order, or which will be physically incorporated in the material which he will deliver, including containers and packaging materials required to make the delivery, and including also chemicals directly used in the production of the material. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(b) If a person has made delivery of material or has incorporated it into the material which he has delivered on a rated order, he may extend the rating to replace it in his inventory subject to the provisions of Part 10 of this chapter (Regulation 1) on inventory. Whether or not the material is covered by Part 10 of this chapter (Regulation 1) no rating may be used for any inventory replacement which would result in more than a practicable minimum working inventory, as defined in Regulation 1. Any material ordered with a rating as replacement in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design.

§ 11.6 *Additional restrictions upon the use of ratings for certain materials.*

(a) A person who has received a rated order may not extend the rating to get material for plant improvement, expansion, or construction, or to get machine tools or other items which he will carry as capital equipment, or to get maintenance, repair or operating supplies.

(b) The ratings established by this part shall have no effect upon deliveries

of items in § 11.31, List A. No person shall use ratings to get any of the items in § 11.31, List A, and no person selling such items shall require a rating as a condition of sale. Any rating purporting to be used to get any such items on a preferred basis shall be void.

§ 11.7 *Use of ratings for services.*

(a) When a person is entitled to use a rating to get processed material, he may furnish the unprocessed material to a processor and use the same rating to get the material processed.

(b) If the NPA specifically authorizes a person to use a rating to get services, he may use it for that purpose.

(c) Except as provided in paragraphs (a) and (b) of this section, no person may use a rating to get services.

(d) A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

§ 11.8 *How to apply or extend a rating.* (a) When a person applies or extends a rating, he must put the prefix DO and the two digits supplied to him, for example DO-39, on his purchase order, or on a separate piece of paper attached to the order or clearly identifying it, together with the words "Certified under NPA Regulation 2," signed as prescribed in this section. This certificate constitutes a representation to the supplier and to the NPA that the purchaser is authorized under the provisions of this part to use the rating for the delivery of the materials covered by the order.

(b) Certifications on purchase or delivery orders must be signed by the person placing the order or by a responsible individual who is duly authorized to sign for that purpose. The signature must be either by hand or in the form of a rubber stamp or other facsimile reproduction of a handwritten signature. If a facsimile signature is used, the individual who uses it must be duly authorized in writing to use it for this purpose by the person whose signature it is, and a written record of the authorization must be kept.

(c) When a rated order is placed by telegram, the rating identification and certificate must be set out in full in the telegram. It will be sufficient if the file copy of the telegram is signed in the manner required for certification by this part.

(d) On rated orders requiring shipment within seven days, the substance of the certification may be stated verbally or by telephone. However, the following rules must be complied with:

(1) The person making the statement for the buyer must be a person duly authorized to make the certification.

(2) Both the buyer and the seller must promptly make a written record of the fact that the certification was given orally and the record must be signed by the buyer in the same way as a certification.

(e) The person who places a rated order, the individual whose signature is used and the individual who approves

the use of the signature, will each be considered to be making a representation to the NPA that the statements contained in the certification are true to the best of his knowledge and belief. The person receiving the certification and any other information required to be included with it, shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to believe that it is false.

(f) No person shall knowingly apply or extend or purport to apply or extend a rating to any order unless he is entitled to do so: No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

§ 11.9 *Special provisions applicable to extensions; grouping of orders.* (a) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it.

(b) If the purchase requirements for filling a number of rated orders for different items bearing different rating identifications are combined in one purchase order, each applicable rating identification must be placed alongside the related item.

(c) If the purchase requirements for filling a number of rated orders for the same material but bearing different rating identifications are combined in one purchase order, the purchase order must show the amount of each material to which a particular rating identification is extended.

(d) In the case of a manufacturer of common components or shelf items or any other person who has a number of rated orders for which he cannot place orders for minimum commercially procurable quantities of materials, to fill the rated orders individually, he may place one rated order for all the materials using the identification symbol DO-99. However, the amounts so ordered may not exceed the total amount of the material required for the rated orders so combined.

§ 11.10 *Rules for acceptance and rejection of rated orders.* Every order bearing a rating must be accepted and filled regardless of existing contracts and orders except as provided in this section. The "existing contracts and orders" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced.

(a) A person must not accept a rated order for delivery on a date which would interfere with delivery of rated orders which he has already accepted, nor if delivery of the material ordered would interfere with delivery on an order which the NPA has previously directed him to fill.

(b) If a person when receiving a rated order bearing a specific delivery date does not expect to be able to fill it by the time requested, he must not accept it for delivery at that time. He must either (1) reject the order, stating when

he could fill it, or (2) accept it for delivery on the earliest date he expects to be able to deliver, informing the customer of that date. He may adopt either of these two courses, depending on his understanding of which his customer would prefer. He may not reject a rated order just because he expects to receive other rated orders in the future.

(c) A supplier does not have to accept a rated order in any of the following cases, but there must be no discrimination in such cases against rated orders or between rated orders of different customers:

(1) If the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. When a person who has a rated order asks a supplier to quote his regularly established prices and terms of sale or payment, the supplier must do so, except that if this would require detailed engineering or accounting work, he may give his best estimate without such work and say that it is not binding. However, the supplier need not quote if he is not required to accept the rated order and advises the person seeking the quotation of the reason for his refusal.

(2) If the order is for the manufacture of a product or the performance of a service of a kind which the person to whom the order is offered has not usually made or performed, and in addition, if either (i) he cannot fill the order without substantially altering or adding to his facilities or (ii) the order can readily be performed by someone else who has usually accepted and performed such orders.

(3) If an order for material is offered to a person who produces or acquires it for his own use only, and he has not filled any orders for that material within the past two years. If he has filled any orders within that period, but the rated order would take more than the excess over his own needs, he may reject the order for any amount over the excess.

(4) If filling the order would stop or interrupt the supplier's operations during the next 60 days in a way which would cause a substantial loss of total production or a substantial delay in operations.

(d) A manufacturer or processor need not accept a rated order from another person who manufactures or processes the same product, unless specifically directed to do so by the NPA.

(e) Any person who refuses to accept a rated order shall, upon written request of the person placing the order, promptly give his reasons in writing for his refusal.

§ 11.11 *Report to NPA of improperly rejected orders.* When a rated order is rejected in violation of this part, a report of the relevant facts may be filed with the NPA, Washington 25, D. C., Ref: Regulation 2. The NPA will take such action as it considers appropriate after requiring an explanation from the person rejecting the order.

§ 11.12 *Cancellation of ratings.* If a rating which has been used by a person is revoked he must immediately, in the case of each order to which he has applied such rating, either cancel the order

or inform his supplier that it is no longer to be treated as a rated order. If any person receives notice from his customer or otherwise that the customer's order is no longer a rated order or that the customer's order is cancelled, he must immediately withdraw any extensions of that rating which he has made to any purchase order placed by him:

§ 11.13 *Sequence of filling rated orders.* (a) Every person who has rated orders on hand must schedule his operations, if possible, so as to fill each rated order by the required delivery or performance date. If this is not possible, for any reason, he must give precedence to all rated orders over unrated orders.

(b) As between conflicting rated orders, precedence must be given to the order which was received first with the rating: *Provided*, That orders received prior to October 3, 1950, and which receive ratings prior to October 18, 1950, take precedence as of the dates on which orders were first placed. As between conflicting rated orders received on the same date, precedence must be given to the order which has the earliest required delivery or performance date.

(c) A rated order calling for earlier delivery than a rated order already accepted must not be allowed to interfere with scheduled delivery on the first order, but if both deliveries can be made on schedule it is not necessary to produce or make delivery on the first customer's order ahead of the second.

(d) In the usual case, the date on which specifications have been furnished to the manufacturer in sufficient detail to enable him to put the product into production is to be considered the date on which the rated order is received.

(e) If a rated order or a rating applicable to an order is cancelled when the supplier has material in production to fill it, he need not immediately stop processing in order to put other rated orders into production. He may continue to process the material which he had put into production for the cancelled order to a stage of completion which will avoid a substantial loss of total production, but he may not incorporate any material which he needs to fill any rated orders on hand. He may not, however, delay putting other rated orders into production for more than 15 days.

§ 11.14 *Changes in customers' orders.* (a) The general rule is that any change in a customer's rated order constitutes a cancellation of the order and must be considered as a new order received on the date of the change, if the change will require the manufacturer to interfere with his production. For example:

(1) A change in shipping destination does not constitute the placing of a new order.

(2) An increase in the total amount ordered is a new order to the extent of the increase unless it can be filled with only a negligible interference with the filling of later rated orders.

(3) A change in the date of the delivery, whether advanced or deferred,

when made by the customer, is a new rated order if it interferes with production or delays delivery on another rated order.

(4) A reduction in the total amount ordered will presumably not require a change in the manufacturer's schedule and will not constitute a new rated order. If the quantity is reduced below a minimum production quantity, the manufacturer may insist on the delivery of not less than a minimum production quantity. If the customer is not willing to order that amount, the manufacturer may reject the order. The manufacturer may not discriminate between customers in requiring delivery of minimum production amounts.

(5) When the customer directs the manufacturer to hold or suspend production without specifying a new delivery date, the rated order must be considered cancelled. If requested to do so within ten days after receiving such an instruction, the manufacturer must reinstate the order as nearly as possible to its former place in his proposed schedule of delivery as long as the reinstatement does not cause loss of production or delay in the scheduled deliveries of other rated orders. Any request for reinstatement made after ten days shall be treated as the placing of a new rated order.

(6) Where minor variations in size, design, capacity, etc., are requested by the customer and can be arranged by the manufacturer without interfering with his production, such changes do not constitute a new rated order.

(b) Where a change in an order constitutes a new rated order, the conditions existing at the time the change is received govern the acceptance of the rated order and its sequence in delivery under the rules of this part.

**§ 11.15 Delivery or performance dates.** (a) Every rated order must specify delivery or performance on a particular date or dates or within specified periods of not more than 90 days each, which in no case may be earlier than required by the person placing the order. Any order which fails to comply with this rule shall not be treated as a rated order. The words "immediately" or "as soon as possible" or other words to that effect do not meet the requirements of this paragraph.

(b) The required delivery or performance date, for purposes of determining the sequence of deliveries or performance pursuant to § 11.13, shall be the date on which delivery or performance is actually required. The person with whom the rated order is placed may assume that the required delivery or performance date is the date specified in the order or contract unless he knows either (1) that the date so specified was earlier than required at the time the order was placed, or (2) that delivery or performance by the date originally specified is no longer required by reason of any change of circumstances. A delay in the scheduled receipt of any other material which the person placing the order requires prior to or concurrently with the material ordered, shall be deemed a change of circumstances.

(c) If, after accepting a rated order which specifies the time of delivery, the person with whom it is placed finds that he cannot fill it approximately on time, he must promptly notify the customer, telling him when he expects to be able to fill the order.

**§ 11.16 Relation of ratings and directives.** Special directives or authorizations issued by NPA take precedence over rated orders previously or subsequently received, unless a contrary instruction appears on the directive or authorization.

**§ 11.17 Use or disposition of material acquired under this part.** (a) Any person who gets material with a rating or through a specific authorization or a directive of the NPA must, if possible, use or dispose of it (or of the product into which it has been incorporated) for the purpose for which the assistance was given. Physical segregation is not required as long as the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(b) The restriction in paragraph (a) of this section does not apply when a material, or a product into which it has been incorporated, can no longer be used for the purpose for which the priority assistance was given, for example, when the assistance was given to fill a particular order and the material or product does not meet the customer's specifications or the contract order is cancelled. In such cases the rules on further use or disposition in paragraph (c) of this section must be observed.

(c) The holder of a material or product subject to paragraph (b) of this section may sell it as long as he complies with all requirements of other applicable sections of this part and of other orders and regulations of the NPA, or he may use it himself in any manner or for any purpose as long as he complies with such requirements.

**§ 11.18 Delivery for unlawful purposes prohibited.** No person shall deliver any material which he knows or has reason to believe will be accepted, redelivered, held or used in violation of any order or regulation of the NPA.

**§ 11.19 Intra-company deliveries.** The provisions of this part apply not only to deliveries to other persons, including affiliates, and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

**§ 11.20 Inventory restrictions on materials acquired with a rating.** The inventory restrictions described in Part 10 of this chapter (NPA Regulation 1) apply to all listed materials acquired with ratings or other priorities assistance.

**§ 11.21 Scope of regulations and orders.** (a) All regulations and orders of the NPA (including directions, directives and other instructions) apply to all subsequent transactions even though they are covered by contracts previously entered into. Regulations and orders

apply to transactions in the territories or insular possessions of the United States unless the regulation or order specifically states that it is limited to the continental United States or to the 48 States and the District of Columbia. However, restrictions of NPA orders or regulations on the use of material or on the amount of inventory shall not apply when the material is used or the inventory is held directly by the Department of Defense outside the 48 States and the District of Columbia, unless otherwise specifically provided.

(b) All orders and regulations of the NPA which control the sale, transfer or delivery of any material, product or equipment, apply to sales made by any person, whether for his own account or for the account of others, and all restrictions upon accepting delivery apply to acceptance of delivery at any type of sale, including sales made by auctioneers, receivers, trustees in bankruptcy, and other cases where the assets of a business are being liquidated.

**§ 11.22 Defense against claims for damages.** No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with any regulation or order of the NPA (including any direction, directive or other instruction) notwithstanding that any such regulation or order shall thereafter be declared by judicial or other competent authority to be invalid.

**§ 11.23 Records.** Each person participating in any transaction covered by this part shall retain in his possession for at least two years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this part have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

**§ 11.24 Audit and inspection.** All records required by this part shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the NPA.

**§ 11.25 Reports.** Persons subject to this part shall make such records and submit such reports to the NPA as it shall require, subject to the terms of the Federal Reports Act.

**§ 11.26 Violations.** Any person who wilfully violates any provision of this part or any other regulation or order of the NPA, or furnishes false information or conceals any material fact in the course of operation under any such regulation or order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and

to deprive him of further priorities assistance.

§ 11.27 *Adjustments and exceptions.* Any person affected by any provision of this part may file an application for an adjustment or exception upon the ground that such provision works an unreasonable hardship upon him not suffered generally by others in the same trade or industry or that its enforcement against him would not be in the interest of the national defense.

§ 11.31 *List A.* Allocation and distribution of the following items is subject to regulation by other government agencies and these items are therefore not subject to ratings issued by or under authority of NPA. However, producers of such items are subject to NPA regulations with respect to other materials and products used by them:

Electric power.<sup>1</sup>  
Farm equipment.<sup>2</sup>  
Fertilizer, commercial.<sup>2</sup>  
Food.<sup>2</sup>  
Fuels, solid.<sup>1</sup>  
Gas.<sup>1</sup>  
Petroleum.<sup>1</sup>  
Source and fissionable materials.<sup>4</sup>  
Transportation services, domestic, storage and port facilities.<sup>3</sup>

The following items are not subject to any ratings issued by or under authority of the NPA at the present time, and no rating issued by NPA may be extended to obtain such items unless specific authorization is given by NPA.

Communications services.  
Ice.  
Mineral aggregates:  
Sand.  
Gravel.  
Crushed stone.  
Slag.  
Ores and scrap.  
Steam heating, central.  
Transportation services, other.  
Waste paper.  
Water.

This regulation shall take effect on October 3, 1950.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Dated: September 29, 1950.

NATIONAL PRODUCTION  
AUTHORITY,  
W. H. HARRISON,  
Administrator

[F. R. Doc. 50-8706; Filed, Oct. 2, 1950;  
11:04 a. m.]

## TITLE 35—PANAMA CANAL

### Chapter I—Canal Zone Regulations

#### PART 27—TOLLS FOR USE OF CANAL

EDITORIAL NOTE: The rates of toll in § 27.1 of the Code of Federal Regulations,

<sup>1</sup> Under jurisdiction of the Department of the Interior—E. O. 10161, 15 F. R. 6105.

<sup>2</sup> Under jurisdiction of the Department of Agriculture—E. O. 10161, 15 F. R. 6105.

<sup>3</sup> Under jurisdiction of the Interstate Commerce Commission—E. O. 10161, 15 F. R. 6105.

<sup>4</sup> Under jurisdiction of the Atomic Energy Commission—60 Stat. 755; 42 U. S. C. et seq.

1949 Edition, are derived from Proclamation 2775 (3 CFR, 1949 Supp., 13 F. R. 1623). Proclamation 2775 was revoked by Proclamation 2903 (15 F. R. 6569). Therefore the rates of toll derived from Proclamation 2247, Aug. 25, 1937 (2 F. R. 1764) as amended by Proclamation 2249, Aug. 31, 1937 (2 F. R. 1796) remain in effect. Accordingly § 27.1 should read as follows:

§ 27.1 *Rates of toll.* The following rates of toll shall be paid by vessels using the Panama Canal:

(a) On merchant vessels, yachts, army and navy transports, colliers, hospital ships, and supply ships, when carrying passengers or cargo, 90 cents per net-vessel-ton of 100 cubic feet each of actual earning capacity—that is, the net tonnage, determined in accordance with §§ 27.17 to 27.95, inclusive.

(b) On vessels in ballast without passengers or cargo, 72 cents per net-vessel-ton.

(c) On other floating craft including warships, other than transports, colliers, hospital ships, and supply ships, 50 cents per ton of displacement.

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans' Administration

#### PART 3—VETERANS CLAIMS

##### INSTITUTIONAL AWARDS; APPORTIONMENTS

1. In § 3.276, paragraph (d) is amended to read as follows:

§ 3.276 *Institutional awards.* \* \* \*

(d) In any of these circumstances, in accordance with the provisions of section 1 (b) of Public Law 662, 79th Congress, there may be paid to the chief officer in behalf of the disabled person up to but not in excess of \$30 per month, depending upon the disability rating: *Provided*, That in awards made on and after September 1, 1950, there will be paid to the manager of a Veterans Administration hospital or center all sums, otherwise payable in excess of apportionments or awards to fiduciaries. In the event the veteran has dependents or more is payable under his disability rating or there are funds to his credit in "Funds Due Incompetent Beneficiaries," such additional amount as may be needed will be allowed, on the basis of a certification by the chief officer of the hospital or institution with respect to the need and the amount required. A certification by the chief attorney concerned as to the neglect or refusal of a fiduciary to supply necessary funds is required. Accordingly, in such cases there may be awarded to the chief officer of the hospital or institution (for definition of chief officer, see § 3.277) as provided above any amount necessary for the disabled person's comforts and desires not included in the regular support, care, treatment, and maintenance of the disabled person provided by the hospital or institution. Any benefits payable on account of the disabled person not paid to the chief officer of the hospital or institution or to a fiduciary or not apportioned to a dependent or dependents will be paid into the "Funds Due Incompetent Benefi-

aries." Any excess funds in the hands of the chief officer of a hospital or institution other than a Veterans Administration hospital or center at the end of each accounting period, which he may deem unnecessary for expenditure for the benefit of a disabled person, will be returned to the Veterans Administration or to a fiduciary, if one is serving.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. and Sup. 11a, 426, 707. Interpret or apply sec. 1, 60 Stat. 908; 38 U. S. C. 739, ch. 12 note)

2. In § 3.310, paragraph (e) is amended to read as follows:

§ 3.310 *Apportionments authorized.* \* \* \*

(e) Where it is determined that an institutional award in behalf of an incompetent or insane beneficiary is in order, pending action on a special apportionment under § 3.315. In such cases and when no fiduciary has been appointed, none of the increases on account of dependents provided by Public Law 877, 80th Congress, as amended by section 4, Public Law 339, 81st Congress, will be reflected in the institutional award but such increases will be paid to the apportionee or apportionees in the full amount which is payable on his or their account. In other words, apportionments will be determined in accordance with the table contained in § 3.311 predicated solely upon the amount of basic disability compensation payable. After such determination is made there will be added to the share of the apportionee or apportionees the additional compensation payable on his or their account. The above basis of apportionment will be continued during the veteran's trial visit or other temporary absence in excess of 30 days. If a fiduciary has been appointed and is providing for the veteran's dependents, any increase in compensation on account of the provisions of Public Law 877, 80th Congress, as amended by section 4, Public Law 339, 81st Congress, will be paid to him. Upon the veteran's discharge from the institution, apportionments will be in accordance with the provisions of § 3.311 predicated upon the entire amount of disability compensation payable, both basic and additional on account of dependents.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. and Sup. 11a, 426, 707. Interpret or apply sec. 3, 54 Stat. 1195, sec. 1, 60 Stat. 908, secs. 1, 2, 62 Stat. 1219, as amended; 38 U. S. C. 49a, 739, 740, 741)

3. Section 3.317 is amended to read as follows:

§ 3.317 *Discontinuance of apportionments; effective dates.* Where disability pension, disability compensation, service pension, or emergency officers' retirement pay is apportioned between the veteran and his dependents and payments have been or are being made to the dependents subsequent to the date of cessation of the condition on which it is predicated, the effective date of discontinuance of the apportioned benefit to the dependent shall be the date of last payment and the award to the veteran will be adjusted accordingly; except that in the event of death, the date

of death (upon the death of an apportionee, all or any part of the unpaid apportioned disability pension, compensation, or retirement pay will be paid to the veteran or to any other dependent or dependents as may be determined by the Administrator of Veterans' Affairs, section 12, Public Law 144, 78th Congress) divorce, the date preceding the date of divorce; in the case of a child, the date preceding the eighteenth, or twenty-first birthday, or cessation of school attendance, or the date preceding the date of marriage, will be the effective date. Where a minor child of a disabled person being paid apportioned disability compensation, pension, or emergency officers retirement pay enters the active military or naval service, such apportioned award will be discontinued as of the date of last payment and, effective as of the next day, such child's apportioned share will be added to the disability compensation, pension, or emergency officers retirement pay otherwise payable to the veteran. Where the estranged wife of a disabled veteran is receiving apportioned disability compensation, pension, or emergency officers retirement pay in behalf of herself and a minor child and such minor child enters the active military or naval service, the apportioned share for the estranged wife will be continued in the same amount as was payable prior to the child's entry into active service, such increased amount to continue during the child's minority or until the cessation of the condition upon which the apportionment was made.

(Sec. 5, 43 Stat. 603, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. and Sup. 11a, 426, 707. Interpret or apply sec. 4, 48 Stat. 9, sec. 3, 54 Stat. 1195; E. O. 6232, July 28, 1933, E. O. 6566, Jan. 19, 1934, E. O. 6775, June 30, 1934, E. O. 6991, Mar. 19, 1935; 38 U. S. C. 49a, 704, ch. 12 note)

This regulation is effective October 3, 1950.

[SEAL] O. W. CLARK,  
Deputy Administrator

[F. R. Doc. 50-8579; Filed, Oct. 2, 1950; 8:45 a. m.]

## TITLE 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

#### Subchapter B—Carriers by Motor Vehicle

#### PART 179—TRANSFERS OF OPERATING RIGHTS

##### TRANSFER OF DORMANT OPERATING RIGHTS

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 27th day of September A. D. 1950.

On July 11, 1950, notice of proposed rule making was published in the FEDERAL REGISTER (15 F. R. 4555) regarding the proposed revision of the transfer rules and regulations (49 CFR 179.0-179.6) for the purpose of including a provision providing for the transfer of dormant operating rights.

Due consideration having been given to the written data, views and arguments submitted to the Commission in favor of or against the proposed rule, a revision thereof to the extent found justified having been made:

It is ordered, That paragraph (c) of § 179.1 General, be further amended by adding at the end the following subparagraph:

(3) The transfer of any operating rights under which operations are not being conducted at the time of the proposed transfer and have not been performed for a substantial period will be approved only upon a showing that the cessation of operations was caused by circumstances over which the holder of such operating rights had no control.

As amended, § 179.1 (c) will now read:

(c) (1) An operating right may be divided as to routes or territories, and part thereof transferred, provided such routes or territories are clearly severable and the division thereof does not permit the

creation of duplicate operating rights. No division of operating rights based upon the class or classes of property authorized to be transported will be approved, unless it appears to the satisfaction of the Commission that the part of the operating rights sought to be transferred is, because of a difference in the nature or type of the service rendered, clearly distinguishable and severable from the remaining operating rights.

(2) A proposed transfer of operating rights will not be approved if the Commission finds that the transferee does not intend to, or would not, engage in bona fide motor carrier operations under such operating rights, or if the Commission finds that the transferor acquired such operating rights for the purpose of profiting therefrom and has not engaged in bona fide motor carrier operations under such operating rights.

(3) The transfer of any operating rights under which operations are not being conducted at the time of the proposed transfer and have not been performed for a substantial period will be approved only upon a showing that the cessation of operations was caused by circumstances over which the holder of such operating rights had no control.

This order shall be effective October 30, 1950, and shall continue in effect until the further order of the Commission; and

Notice hereof shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 551, as amended, 552, as amended, 555, as amended; 49 U. S. C. 306, 309, 312)

By the Commission, Division 5.

[SEAL] W. P. BARTLE,  
Secretary.

[F. R. Doc. 50-8626; Filed, Oct. 2, 1950; 8:46 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

#### [7 CFR, Part 729]

##### PEANUTS

#### NOTICE OF PROPOSED PROCLAMATION WITH RESPECT TO 1951 NATIONAL MARKETING QUOTA AND APPORTIONMENT OF NATIONAL ACREAGE ALLOTMENT AND DEVELOPMENT OF REGULATIONS FOR ESTABLISHING FARM ALLOTMENTS

Pursuant to Title III of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1393 and Supp.) the Secretary of Agriculture is required by section 358 (a) thereof to proclaim, between July 1 and December

1 of each calendar year, the amount of the national marketing quota for peanuts for the crop produced in the next succeeding calendar year. The amount of such quota is the total quantity of peanuts which will make available for marketing a supply of peanuts from the crop with respect to which the quota is proclaimed equal to the average quantity of peanuts harvested for nuts during the five years immediately preceding the year in which such quota is proclaimed, adjusted for current trends and prospective demand conditions. The average quantity of peanuts harvested for nuts during the five-years, 1945-49, is 1,048,000 tons of farmers stock peanuts. Based on present indications as to current trends and prospective demand conditions, it is expected that the national

marketing quota to be proclaimed will be in the neighborhood of 635,000 to 665,000 tons.

Section 358 (a) of the act further provides that the national marketing quota for peanuts shall be converted to a national acreage allotment by dividing such quota by the normal yield per acre of peanuts for the United States determined by the Secretary on the basis of the average yield per acre of peanuts in the five years preceding the year in which the quota is proclaimed, with such adjustments as may be found necessary to correct for trends in yields and for abnormal conditions of production affecting yields. The average yield per acre for peanuts for the five years 1945-49 is 690 pounds. It is expected that after necessary adjustments to correct for trends



in yields and abnormal conditions in production, the normal yield to be proclaimed will be approximately 735 pounds per acre.

Section 358 (c) of the act, as amended by section 4 of Public Law 272, 81st Congress, establishes a minimum 1950 national acreage allotment of 2,100,000 acres and requires that, if in any year after 1950 the national acreage allotment is less than 2,100,000 acres, the acreage allotment determined for each State shall be reduced in the same proportion as the national acreage allotment is reduced below 2,100,000 acres.

Section 7 of Public Law 471, 81st Congress, provides that "Notwithstanding any other provision of law for 1950, the peanut acreage allotment for any State shall not be reduced by a percentage larger than the percentage by which the 1950 national acreage allotment is below the 1949 national acreage allotment. The allotment for any State shall be increased to the extent required to provide such minimum State allotment and such acreage required shall be in addition to the national acreage allotment. The additional acreage authorized by this section shall not be taken into account in establishing future acreage allotments."

In accordance with the above requirements of the law, the national acreage allotment will be apportioned to States on the basis of the State acreage allotment determined for the 1950 crop prior to the enactment of Public Law 471, 81st Congress, each State being allotted the percentage of that 1950 allotment equal to the percentage which the 1951 national peanut acreage allotment is of the

1950 national peanut acreage allotment, since the 1951 national allotment will not exceed 2,100,000 acres.

In addition to the foregoing proclamation and determination to be made with respect to the 1951 crop of peanuts, the Secretary has under consideration the formulation of regulations governing the apportionment of the State acreage allotments among farms pursuant to section 358 (d) of the act and the establishment of allotments for farms on which peanuts will be produced in 1951 for the first time since 1947. Section 358 (d) states that the Secretary shall provide for apportionment of the State acreage allotment for any State through local committees among farms on which peanuts were grown in any of the three years immediately preceding the year for which such allotment is determined, such apportionment to be made on the basis of the tillable acreage available for the production of peanuts and the past acreage of peanuts on the farm, taking into consideration the peanut acreage allotments established for the farm under previous agricultural adjustment and conservation programs. It is expected that the regulations for the 1951 crop will be substantially the same as those provided for the 1950 crop (14 F. R. 7611)

Prior to proclaiming the national marketing quota, apportioning the national acreage allotment, and formulating regulations governing the apportionment of State acreage allotments to farms, consideration will be given to any data, views, and recommendations relating thereto which are submitted in writing to the Director, Fats and Oils Branch, Production and Marketing Administra-

tion, U. S. Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than 10 days after publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 28th day of September 1950.

FRANK K. WOOLLEY,  
Deputy Administrator

[F. R. Doc. 50-8645; Filed, Oct. 2, 1950;  
8:49 a. m.]

## [ 7 CFR, Part 934 ]

[Docket No. AO-83 A 14]

HANDLING OF MILK IN LOWELL-LAWRENCE,  
MASS., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED  
AMENDMENT TO TENTATIVE MARKETING  
AGREEMENT, AND TO ORDER, AS AMENDED

### Correction

In Federal Register Document 50-8166, published at page 6257 in the issue for Tuesday, September 19, 1950, the following changes should be made on page 6259:

1. In the second column the following line should be inserted immediately below the sixth line: "plies in view of the increased receipts of"

2. In the third paragraph of the second column the first word of the eighth line should read "disposes"

3. In the third column the last word in the seventh line of the second paragraph should read "or"

## NOTICES

### DEPARTMENT OF THE TREASURY

#### United States Coast Guard

[CGFR 50-26]

#### APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950, the following approvals of equipment are prescribed, as required by the authorities cited with the specific items below, and the approvals shall be effective for a period of five years from date of publication in the FEDERAL REGISTER unless sooner canceled or suspended by proper authority.

#### DAVITS, LIFEBOAT

Approval No. 160.032/108/0, gravity davit, Type 22-24, approved for maximum working load of 11,500 pounds per set (5,750 pounds per arm) using 2 part falls, identified by General Arrangement Dwg. No. DG-101-1, Alt. F dated December 10, 1948, and revised April 10, 1950, manufactured by Marine Safety Equipment Corporation, Point Pleasant, N. J.

Approval No. 160.032/118/0, aluminum gravity davit, Type LO-100, approved for maximum working load of 20,000

pounds per set (10,000 pounds per arm), using 2 part falls, identified by Arrangement Dwg. No. 3326 dated January 30, 1950 manufactured by the Welin Davit and Boat Division of Continental Copper and Steel Industries, Inc., Perth Amboy, N. J.

Approval No. 160.032/124/0, mechanical davit, aluminum, straight boom sheath screw, type B-11-A, approved for maximum working load of 2200 pounds per set (1100 pounds per arm) using 4 part falls, identified by General Arrangement Dwg. No. 3161-3 dated September 10, 1949, manufactured by Welin Davit and Boat Division of Continental Copper and Steel Industries, Inc., Perth Amboy, N. J.

(R. S. 4405, 4417a, 4426, 4481, 4488, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 474, 481, 489, 1333; 50 U. S. C. 1275; 46 CFR 160.032)

#### LIFEBOATS

Approval No. 160.035/261/0, 24.0' x 7.75' x 3.33' aluminum, oar-propelled lifeboat, 37-person capacity, identified by Construction and Arrangement Dwg. No. 3300, dated August 25, 1949, revised December 30, 1949, manufactured by Welin Davit and Boat Division of Conti-

mental Copper and Steel Industries, Inc., Perth Amboy, N. J.

Approval No. 160.035/203/1, 24.0' x 8.0' x 3.73' steel, oar-propelled lifeboat, 40-person capacity, identified by Construction and Arrangement Dwg. No. 24-1, dated May 16, 1946, and revised July 5, 1950, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Supersedes Approval No. 160.035/203/0 published in FEDERAL REGISTER April 1, 1948)

Approval No. 160.035/242/0, 26.0' x 8.25' x 3.37' aluminum, oar-propelled lifeboat, 48-person capacity, identified by Construction and Arrangement Dwg. No. 26-3, dated January 4, 1949 and revised July 24, 1950, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J.

(R. S. 4405, 4417a, 4426, 4481, 4488, 4491, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 474, 481, 489, 490, 1333, 50 U. S. C. 1275; 46 CFR 160.035)

#### VALVES, SAFETY

Approval No. 162.001/137/0, Style HNA-MS-55, carbon steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover, 1,500 p. s. i. primary service pressure



rating, 650° F. maximum temperature, Dwg. No. HV-25-MS, issued June 3, 1950, and Dwg. No. D-28167 issued March 11, 1947, approved for sizes 1½" 2" 2½" 3" and 4" manufactured by Crosby Steam Gage and Valve Company, 43 Kendrick Street, Wrentham, Mass.

Approval No. 162.001/138/0, Style HNA-MS-56, carbon steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover, 1,500 p. s. i. primary service pressure rating, 750° F. maximum temperature, Dwg. No. HV-25-MS, issued June 30, 1950, and Dwg. No. D-28167, issued March 11, 1947, approved for sizes 1½", 2" 2½" 3" and 4" manufactured by Crosby Steam Gage and Valve Company, 43 Kendrick Street, Wrentham, Mass.

Approval No. 162.001/139/0, Style HNA-MS-57, alloy steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover, 1,500 p. s. i. primary service pressure rating, 900° F. maximum temperature, Dwg. No. HV-26-MS, issued June 5, 1950, and Dwg. No. D-28167, issued March 11, 1947, approved for sizes 1½" 2" 2½" 3" and 4", manufactured by Crosby Steam Gage and Valve Company, 43 Kendrick Street, Wrentham, Mass.

Approval No. 162.001/140/0, Style HNA-MS-58, alloy steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover, 1,500 p. s. i. primary service pressure rating, 1,000° F. maximum temperature, Dwg. No. HV-26-MS, issued June 5, 1950, and Dwg. No. D-28167, issued March 11, 1947, approved for sizes 1½" 2" 2½" 3" and 4" manufactured by Crosby Steam Gage and Valve Company, 43 Kendrick Street, Wrentham, Mass.

(R. S. 4405, 4417a, 4418, 4426, 4433, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 489, 1333, 50 U. S. C. 1275, 46 CFR 52.65)

#### FIRE EXTINGUISHERS, PORTABLE, HAND, CHEMICAL FOAM TYPE

Approval No. 162.006/18/0, Alfco Model 3FI Foam, 2½-gallon hand portable fire extinguisher, Assembly Dwg. No. 4X-1278, dated March 24, 1948, Alt. O, Name plate Dwg. No. 4X-444, dated August 26, 1946, Alt. P, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y.

Approval No. 162.006/19/0, Kidde Foam (Symbol AM) 2½-gallon hand portable fire extinguisher, Assembly Dwg. No. 4X-1279, dated March 24, 1948, Alt. O, Name plate Dwg. No. 4X-464, dated November 6, 1947, Alt. K, manufactured for Walter Kidde & Co., Inc., Belleville 9, N. J., by American-LaFrance-Foamite Corp., Elmira, N. Y.

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 404, 463a, 472, 489, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.5-1, 26.3-1, 27.3-1, 34.5-1, 61.13, 77.13, 95.13, 114.15)

Dated: September 27, 1950.

[SEAL] MERLIN O'NEILL,  
Vice Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 50-8639; Filed, Oct. 2, 1950;  
8:47 a. m.]

[CGFR 50-27]

#### TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950, the following approval of equipment is terminated because the item of equipment covered is no longer being manufactured:

#### FIRE EXTINGUISHERS, PORTABLE, HAND, CHEMICAL FOAM TYPE

Termination of Approval No. 162.006/2/0, Foamex, 2½-gallon foam type hand portable fire extinguisher, Assembly Dwg. No. 4X-1080, Alt. H, dated June 3, 1946, Name plate Dwg. No. 4X-209, Alt. B, dated July 11, 1946, manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y. (Approved FEDERAL REGISTER July 31, 1947)

(R. S. 4405, 4417a, 4423, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 404, 463a, 472, 489, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.5-1, 26.3-1, 27.3-1, 34.5-1, 61.13, 77.13, 95.13, 114.15)

#### CONDITIONS OF TERMINATION OF APPROVAL

The termination of approval of equipment made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval on any item of equipment, such equipment manufactured before the effective date of termination of approval may be used on merchant vessels so long as it is in good and serviceable condition.

Dated: September 27, 1950.

[SEAL] MERLIN O'NEILL,  
Vice Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 50-8638; Filed, Oct. 2, 1950;  
8:47 a. m.]

## DEPARTMENT OF DEFENSE

### Department of the Army

#### STATEMENT OF ORGANIZATION AND FUNCTIONS

Section 1 of the Statement of Organization and Functions, Department of the Army, appearing at 15 F. R. 535, February 1, 1950, is revised to read as follows:

#### SECTION 1. Description of central and field agencies—(a) General—(1) Scope.

(i) This section sets forth the organization of the Department of the Army. It also includes the organization of the continental United States and the missions and responsibilities of the Chief of Army Field Forces, the Continental Army Commanders, and the Commanding General, Military District of Washington.

(ii) The functional responsibilities assigned to other agencies of the Army Establishment do not extend to the civil functions of the Chief of Engineers except so far as the Secretary of the Army has already delegated, or in the future may delegate, specific authority to specified agencies.

(2) *Definitions.* The term "Major Command" includes Continental Armies, the Military District of Washington, and Oversea Army Commands directly under the Department of the Army.

(3) *Decentralization of functions.* There shall be an aggressive application of the principle of decentralization. No functions will be performed at the General and Special Staff level which can be decentralized to Army Field Forces, the Major Commands, or the Administrative and Technical Staffs and Services, unless the Chief of Staff decides that such functions are essential to the maintenance of control by the General and Special Staff.

(4) *Direct communication.* Within the limits of approved policies, direct contact and mutual arrangements among Major Commands, Office, Chief of Army Field Forces, and the Army Staff, are desirable and are authorized and encouraged. Direct communication is authorized when appropriate between Army Commanders and the respective State and Territorial authorities on matters of mutual concern.

(5) *Command.* Command of the Army and all components thereof is exercised by the President through the Secretary of Defense and the Secretary of the Army, who directly represent him, and, as the personal representatives of the President, their acts are the President's acts, and their directions and orders are the President's directions and orders.

(b) *Mission.* To provide support for national and international policy and the security of the United States by planning, directing, and reviewing the military and civil operations of the Army Establishment, to include the organization, training, and equipping of land forces of the United States for the conduct of prompt and sustained combat operations on land in accordance with plans for national security.

(c) (1) *Origin and history.* (i) The United States Army was organized during the struggle of the colonies for independence. The first act of Congress under the Constitution relating to the Army was the act of September 29, 1789. That act continued in existence the Army established during the Revolutionary War.

(ii) The Constitution of the United States provides that the Congress shall have power: "To raise and support Armies" "To make rules for the government and regulation of the land and naval forces" "To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions" and, "To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress" (Art. I, Sec. 8). The Constitution further prescribes that: "The President shall be Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several States when called into the

actual service of the United States" (Art. II, Sec. 2)

(iii) The Department of War was established as an executive department at the seat of government by an act approved August 7, 1789. The Secretary of War was established as its head and his powers were those entrusted to him by the President. Under that initial legislation the Secretary of War was charged with naval matters, distribution of bounty lands to soldiers, and Indian affairs, in addition to his Army responsibilities.

(iv) Prior to 1903 heads of the Supply and Administrative Staff Departments were referred to as the "General Staff." In 1796, the "Staff" consisted of a Major General "Commanding," a Brigadier General, The Adjutant General, the Quartermaster General, and a Paymaster General. The line elements made up the tactical formations. In subsequent developments various bureaus were added to the Department. Until 1903, the basic organization of the Department remained the same, with a Secretary of War, a General of the Army, and Staff Departments or Bureaus. The Bureau heads reported to the Secretary of War.

(v) In the act of February 14, 1903, Congress provided for a General Staff Corps consisting of a Chief of Staff and certain other officers. The General Staff Corps was charged with the preparation of plans for national defense and for mobilization of the military forces in time of war. It was the duty of the General Staff to report to the Secretary of the Army on all questions affecting the efficiency of the Army and its state of preparedness for military operations.

(vi) Under the National Defense Act of 1916, the General Staff Corps was divided into the War Department General Staff and the General Staff with troops. That act also created the Officers' Reserve Corps and the Enlisted Reserve Corps, which were later consolidated into the Organized Reserve Corps by the act of March 25, 1948.

(vii) Reorganizations of the War Department were effected during both World Wars. The War Department reorganization of March 9, 1942, under authority of the First War Powers Act decentralized responsibilities and shifted operational functions to three principal commands: Services of Supply (later Army Service Forces) Army Ground Forces, and Army Air Forces.

(viii) The post World War II reorganization was prescribed by WD Circular 138, 1946. Under that Circular the War Department included the Secretary of War, the Under-secretary of War, the Assistant Secretaries of War, the Chief of Staff, a General Staff of six Divisions (later five)—each headed by a Director—an Advisory Group, a Chief of Information, a Special Staff, and Technical and Administrative Staffs and Services. The Army included the Army Ground Forces (redesignated Army Field Forces in 1948) the Army Air Forces, six Army Areas, the Military District of Washington, and Oversea Commands.

(ix) The National Security Act of 1947 created the National Military Establishment. The Department of the Air Force and the United States Air Force were

created as a separate department and Armed Service. The Department of War was designated the Department of the Army and the title of its Secretary became Secretary of the Army. During a 2-year period (later extended to 3 years by the National Security Act Amendments of 1949) the Secretary of Defense transferred certain functions, property, personnel, and records from the Department of the Army to the Department of the Air Force.

(x) The National Security Act of 1947 was extensively amended by the National Security Act Amendments of 1949 which established the Department of Defense as an Executive Department of the Government, and provided that the Department of the Army, the Department of the Navy, and the Department of the Air Force would no longer be executive departments, but would be military departments within the Department of Defense. The National Security Act Amendments of 1949 created in the Department of the Army the Offices of Comptroller and Deputy Comptroller of the Army.

(2) *Functions heretofore transferred under Title I, First War Powers Act.* (1)

The functions, duties, and powers formerly performed and exercised by the Chiefs of Infantry, Cavalry, Field Artillery, and Coast Artillery (except those relating to personnel management and the procurement, storage, and issue of supplies) were transferred by Executive Order 9082, February 28, 1942, to the Commanding General, Army Ground Forces (now designated as Chief of Army Field Forces) and will continue to be performed and exercised by him.

(ii) Under similar powers, the functions, duties, and powers of the Chief of Coast Artillery relating to procurement, storage, and issue of supplies are assigned to the Chief of Ordnance.

(iii) Under similar powers, the functions, duties, and powers (except procurement) prescribed by statute for the Quartermaster General relating to transportation are assigned to the Chief of Transportation. Under the organization of Military Sea Transportation Service (pursuant to Secretary of Defense directive of August 2, 1949) the Department of the Navy assumes responsibility for the operation of sea transport.

(iv) Under similar powers, the functions, duties, and powers prescribed by statute for the Quartermaster General relating to the procurement and supply of general purpose vehicles and for all vehicle field and depot maintenance are assigned to the Chief of Ordnance.

(3) *Legal basis.* The changes in organization of the Department of the Army are made by authority of Title I, First War Powers Act (55 Stat. 838) Executive Order 9082, February 28, 1942, as modified by Executive Order 9722, May 13, 1946; Sec. 205a of the National Security Act of 1947 (61 Stat. 501) and the Constitutional powers of the President as Commander-in-Chief.

(d) *Major functions* — (1) *General.* The Army provides for the accomplishment of its military mission through the media of its numerous activities. The establishment of the major military functions resolves itself into the determina-

tion of that grouping of activities which will best lend itself to efficient administration of the Army as a whole. In addition to the functions primarily related to creating military forces for prompt and sustained land combat operations, other functions are required for the performance of other than purely military missions assigned to the Army. For the purpose of this section, the major military and civil functions of the Department of the Army have been established as listed in subparagraphs (2) to (14) of this paragraph, inclusive.

(2) *Command and management.* Provides for the basic direction and management of the Army, including guidance for program coordination, forces organization and utilization, war and mobilization planning, administrative management, and budget formulation and execution.

(3) *Military personnel.* Provides for the procurement and distribution of military personnel and their management as individuals.

(4) *Civilian personnel.* Provides for the procurement and distribution of civilian employees and their management as individuals and as work forces.

(5) *Intelligence.* Provides for a system to insure adequate intelligence and counterintelligence.

(6) *Training.* Provides for the development of the proficiency of the individual soldier and units in the art of war and for the attainment of skills in military teamwork.

(7) *Research and development.* Provides for that basic and applied research and development which is the responsibility of the Department of the Army under the Master Plan of the Research and Development Board.

(8) *Industrial mobilization.* Provides in advance for the most effective wartime utilization of that portion of the Nation's productive industrial capacity required to support the Army in time of war.

(9) *Procurement.* Provides for the procurement of weapons, vehicles, and other items of equipment, and for complete rehabilitation or modernization of items.

(10) *Supply.* Provides for the furnishing of supplies and equipment to the Army, including distribution, maintenance, and salvage.

(11) *Services.* Provides for the housekeeping and administrative support of the Army, including medical, signal, finance, transportation, and administrative services.

(12) *Construction.* Provides for the fixed plant of the Army Establishment, including all installations required for command and industrial purposes.

(13) *Joint projects.* Provides for those joint tasks included in Department of Defense budget requirements, involving two or more military services, for which the Department of the Army may be assigned budget responsibility or for which the Army pays its prorata share of costs.

(14) *Civil.* Provides for civil works construction, operation, and maintenance pertaining to rivers, harbors, waterways, and the Alaska Communications System; the repatriation of World

War II dead; and the supervision of National Cemeteries.

(e) *Organization of Department of the Army*—(1) *Secretary of the Army*. (i) The Secretary of the Army is the head of the Army Establishment. He is responsible for and has authority over all affairs of the Army Establishment, including but not limited to those necessary or appropriate for the training, operations, administration, logistic support and maintenance, research and development, welfare, preparedness, and effectiveness of the Army, and such other activities as may be prescribed by higher authority or authorized by law.

(ii) The Secretary of the Army assigns to the Under Secretary of the Army and to the Assistant Secretaries of the Army such of his duties as he considers proper. Officers of the Army report regarding any matters to the Secretary, Under Secretary, or either Assistant Secretary of the Army, or as the Secretary of the Army prescribes.

(iii) The Secretary of the Army or, as he may prescribe, the Under Secretary of the Army or either Assistant Secretary of the Army, in addition to other duties, is charged with supervision of the procurement activities of the Army Establishment, of plans for the mobilization of materials and industrial organizations essential to wartime needs of the Army, and of other business pertaining thereto. Under Army regulations these duties as well as responsibility for the supervision of research and development activities of the Army are delegated to the Assistant Secretary of the Army (Matériel). In addition, by delegation of the Secretary of the Army, the Assistant Secretary of the Army (Matériel) exercises the supervisory responsibility of the Secretary of the Army for all other logistical matters not now prescribed in Army regulations. The authority of the Assistant Secretary of the Army (Matériel) over these matters is exercised through established staff and command channels, except as to implementation of approved procurement and research and development programs and all other purchasing and contracting matters.

(2) *Department Counselor*. The Department Counselor serves as a special civilian counselor to advise the Secretary of the Army, the Under Secretary of the Army, the Assistant Secretaries of the Army, and the Chief of Staff on legal matters not otherwise assigned by law or regulation elsewhere in the Department of the Army and to render interpretive evaluation on these matters and on aspects of legislative, public, and military policy not the responsibility of other Department of the Army agencies. The Department Counselor exercises for the Secretary of the Army supervision not otherwise assigned by law or regulation over the operations of the Army-Air Force Clemency and Parole Board, providing assistance on matters having to do with clemency, parole, and restoration to duty of prisoners serving sentences imposed by general courts-martial and confined in United States disciplinary barracks and other Federal institutions, and facilitates the work of Congressional Committees and other

groups having official business with the Department of the Army by acting where appropriate as coordinator for the Secretary of the Army on matters in which the Department of the Army has an interest.

(3) *Chief of Staff*. (i) The Chief of Staff is the principal military adviser of the Secretary of the Army and is charged by him with the planning, development, and execution of the Army Program.

(ii) The Chief of Staff, under the direction of the Secretary of the Army, supervises all members and organizations of the Army, performs the duties prescribed for him by the National Security Act of 1947 and other laws, and performs such other military duties not otherwise assigned by law as may be assigned to him by the President or by the Secretary of the Army. Except as otherwise prescribed by law, by the President, or by the Secretary of Defense, the Chief of Staff performs his duties under the direction of the Secretary of the Army. The Chief of Staff, by virtue of his position, takes rank above all officers on the active list of the Army, Navy, and Air Force, except the Chairman of the Joint Chiefs of Staff and except the Chief of Naval Operations and the Chief of Staff, United States Air Force, if those latter two officers' appointments, as such, antedate his.

(iii) The Chief of Staff presides over the Army Staff, transmits to the Secretary of the Army plans and recommendations prepared by the Army Staff, advises him in regard thereto, and, upon the approval of plans or recommendations by the Secretary of the Army, acts as the agent of the Secretary of the Army in carrying the same into effect.

(4) *Army Staff*. (i) The Army Staff is the staff of the Secretary of the Army at the seat of government and includes the Chief of Staff and his immediate assistants, the General and Special Staffs, and the Administrative and Technical Staffs. The Army Staff renders professional advice and assistance to the Secretary of the Army, the Under Secretary of the Army, and the Assistant Secretaries of the Army.

(ii) It is the duty of the Army Staff to:

(a) Prepare such plans for the National Security, and the use of the Army for that purpose, both separately and in conjunction with the naval and air forces, and for recruiting, organizing, supplying, equipping, training, servicing, mobilizing, and demobilizing the United States Army, as will assist the execution of any power vested in, duty imposed upon, or function assigned to the Secretary of the Army or the Chief of Staff, by law, by the President, or by the Secretary of Defense;

(b) Investigate and report upon all questions affecting the efficiency of the Army and its state of preparation for military operations;

(c) Prepare detailed instructions for the execution of approved plans and to supervise the execution of such plans and instructions;

(d) Act as the agents of the Secretary of the Army and the Chief of Staff in informing all officers and coordinating

the action of all agencies and commands of the Army Establishment.

(e) Perform such other duties not otherwise assigned by law as may be prescribed by the President, the Secretary of Defense, or the Secretary of the Army.

(5) *Vice Chief of Staff*. The Vice Chief of Staff is the principal adviser and assistant to Chief of Staff, and acts for him in his absence.

(6) *Deputy Chief of Staff for Plans*. The Deputy Chief of Staff for Plans is responsible to the Chief of Staff for the coordinated preparation of Army plans and programs.

(7) *Deputy Chief of Staff for Administration*. The Deputy Chief of Staff for Administration is responsible to the Chief of Staff for the coordinated execution of approved Army plans and programs in all operational and administrative activities and for the coordination of implementation plans therefor.

(8) *Comptroller of the Army*. The Comptroller of the Army, under the direction and supervision of the Secretary of the Army, integrates the review and analyses of Army programs and formulates, coordinates, and supervises accounting, fiscal, audit, budgetary, statistical, and management engineering activities of the Army, including the supervision of legislative policies and programs pertaining to appropriation acts. The Comptroller is directly responsible to the Assistant Secretary of the Army (General Management) by delegation of the Secretary of the Army and concurrently responsible to the Chief of Staff. Within his scope of responsibility, the Comptroller's relationship to the Chief of Staff and the Army Staff corresponds to that of a Deputy Chief of Staff. The Chief of Finance is under the direct supervision and control of the Comptroller of the Army for all statutory functions of the Comptroller.

(9) *Secretary of the General Staff*. The Secretary of the General Staff administers and coordinates the internal activities of the Office of the Chief of Staff. He is also charged with responsibility for the expeditious receipt and dispatch of communications between the Office of the Chief of Staff and the President, the Joint Chiefs of Staff, the Secretary of the Army, the Under Secretary of the Army, the Assistant Secretaries of the Army, and the Army Staff.

(10) *Chief of Information*. The Chief of Information coordinates, processes, and initiates the release of matters relating to public understanding and support of the Army, advises on matters of policy relating to troop information and education of the Army, and, in accordance with policies established by the Secretary of Defense, supervises and coordinates the world-wide implementation of public information and troop information and education policies and programs of the Department of the Army. He also advises the Secretary of the Army, the Under Secretary of the Army, the Assistant Secretaries of the Army, and the Chief of Staff on public information matters involving the Department of the Army at the seat of government in its relations with other departments and

branches of the government and with the general public.

(11) *Chief of Legislative Liaison.* The Chief of Legislative Liaison formulates, coordinates, and supervises the approved legislative programs of the Army (except for appropriation acts), and insures the maintenance of proper relationships between the Army and the Congress. He also advises the Secretary of the Army, the Under Secretary of the Army, the Assistant Secretary of the Army, and the Chief of Staff on the situation of the Department of the Army in its relations with the Congress and on developments which may affect the legislative program of the Department of the Army.

(12) *General Staff.* The General Staff is the principal element of the staff of the Secretary of the Army. Under the direction of the Chief of Staff, the General Staff renders professional advice and assistance to the Secretary of the Army, the Under Secretary of the Army, and the Assistant Secretaries of the Army, in providing broad basic policies and plans to the Chief of Army Field Forces, the commanding generals of the Continental Armies and Oversea Army Commands, the Commanding General, Military District of Washington, and the heads of the Administrative and Technical Services, to enable them to prepare and execute detailed programs for the development of the Army as a well-balanced and efficient military team. The General Staff specifically assists the Secretary in the preparation and issuance of directives in the name of the Secretary of the Army to implement plans and policies and in the supervision of the execution and implementation of these directives. The subdivisions of the General Staff are the Office of the Assistant Chiefs of Staff, G-1, Personnel; G-2, Intelligence; G-3, Operations; and G-4, Logistics.

(13) *Assistant Chief of Staff, G-1, Personnel.* The Assistant Chief of Staff, G-1, under the supervision of the Deputy Chiefs of Staff and, within his scope of responsibility, of the Comptroller of the Army, plans, coordinates, and supervises the procurement, allocation, welfare, separation, and administrative management of military personnel of all categories; designs, administers, and implements the troop program; administers the safety program; directs and controls the Administrative Staffs and Services; provides supervision over administration in the Army; and develops in coordination with the Assistant Chief of Staff, G-3, military personnel authorizations for the Army.

(14) *Assistant Chief of Staff, G-2, Intelligence.* The Assistant Chief of Staff, G-2, under the supervision of the Deputy Chiefs of Staff and, within his scope of responsibility, of the Comptroller of the Army, plans, coordinates, and supervises the collection, evaluation, and dissemination of intelligence information pertaining to the war potential, topography, military forces, and military activities of foreign countries, and the strategic vulnerability of the United States and its possessions. In addition thereto, he advises on counterintelligence matters; supervises counterintelligence activities;

supervises military mapping; and performs the Army cryptologic functions, utilizing the Army Security Agency for this purpose, and provides the official channel of liaison between the Army and foreign military personnel in the United States.

(15) *Assistant Chief of Staff, G-3, Operations.* The Assistant Chief of Staff, G-3, under the supervision of the Deputy Chiefs of Staff and, within his scope of responsibility of the Comptroller of the Army, develops and coordinates strategic and operational planning and military and politico-military policy for the Army; develops policies for the organization, operational requirements, training, mobilization, and demobilization of all components of the Army; and provides for coordination between the General Staff and the Joint Staff on these matters. He supervises strategic and operational matters relating to Oversea and other Major Commands, including the deployment of military resources; and discharges General Staff responsibility as to those unified commands for which the Chief of Staff has been designated executive agent. He is responsible for that portion of program planning which relates to the establishment of Army requirements and objectives.

(16) *Assistant Chief of Staff, G-4, Logistics.* The Assistant Chief of Staff, G-4, under the supervision of the Deputy Chiefs of Staff and, within his scope of responsibility, of the Comptroller of the Army, plans for and supervises Army activities in research and development, procurement and related industrial matters, and supply and logistic services; reports directly to the Assistant Secretary of the Army (Matériel) on implementation of approved procurement and research and development programs, industrial matters, and all other purchasing and contracting matters; and directs and controls the Technical Staffs and Services. On matters of health, medical care of troops, and utilization of professional medical personnel, the Surgeon General has direct access to the Secretary of the Army and Chief of Staff.

(17) *Special Staff.* The agencies listed below constitute the Special Staff. The heads of these agencies advise the Chief of Staff on specialized matters specifically within their fields of activity and report to the Chief of Staff through the General Staff on other matters for which there is a General Staff responsibility.

- (i) Office of the Chief of Finance.
- (ii) Office of the Inspector General.
- (iii) Office of the Chief of Military History.
- (iv) Office of the Judge Advocate General.
- (v) National Guard Bureau.
- (vi) Office of the Executive for Reserve and ROTC Affairs.

(18) *Chief of Finance.* (i) The Chief of Finance is responsible for formulating, coordinating, and supervising plans and policies on the provision of finance service for the Army, and for providing this service including the accounting for all disbursements and collections of funds applied in Army accounts. In addition, he is responsible for providing the liaison and for assisting other Department of the Army agencies in presenting cases be-

fore the Comptroller General and for reviewing all Department of the Army communications addressed to the Comptroller General and General Accounting Office, except on matters pertaining to records administration.

(ii) In addition to his responsibility as head of a staff agency of the Department of the Army, he is also a commander of troops, activities, and installations assigned to his command, and as such performs the usual functions of command.

(19) *Inspector General.* The Inspector General inquires into and reports upon matters which affect the efficiency and economy of the Army and makes such inspections, investigations, surveys, studies, and reports as may be prescribed by law or regulations, or as may be directed by the Secretary of the Army, the Under Secretary of the Army, either Assistant Secretary of the Army, or the Chief of Staff.

(20) *Chief of Military History.* The Chief of Military History is charged with historical matters and prepares plans and policies for, and directs and supervises Army historical activities other than current reports.

(21) *Judge Advocate General.* The Judge Advocate General supervises the system of military justice throughout the Army, performs appellate review of records of trials by courts martial as provided by the Articles of War, and furnishes a legal service for the Army; and serves as the chief legal adviser to the Secretary of the Army, the Chief of Staff, and all Army Staff agencies. He reports directly to the Secretary of the Army with respect to courts martial and certain legal matters.

(22) *Chief, National Guard Bureau.* The Chief, National Guard Bureau, participates with other agencies of the Army Staff in the formulation of the program for the development and maintenance of a National Guard in the States, Territories, and District of Columbia; and administers that program.

(23) *Executive for Reserve and ROTC Affairs.* The Executive for Reserve and ROTC Affairs advises and assists the Chief of Staff in the exercise of his supervision and control of the Organized Reserve Corps and Reserve Officers' Training Corps, and keeps the Secretary of the Army informed on Reserve and ROTC affairs.

(24) *Administrative and Technical Staffs and Services.* (i) (a) The Administrative Services are:

- (1) The Adjutant General's Department.
- (2) Chaplains.
- (3) Corps of Military Police.
- (b) The Technical Services are:
  - (1) Ordnance Department.
  - (2) Signal Corps.
  - (3) Quartermaster Corps.
  - (4) Corps of Engineers.
  - (5) Transportation Corps.
  - (6) Medical Department.
  - (7) Chemical Corps.

(ii) The heads of the Administrative and Technical Services are also staff officers of the Department of the Army. As such their general functions include:

- (a) Administrative and technical advice and recommendations to the Secretary, the Under Secretary of the Army,



Assistant Secretaries of the Army, the Chief of Staff, the General and Special Staffs, the Chief of Army Field Forces, and the commanders of Major Commands.

(b) Preparation of plans, estimates, and orders.

(c) Coordination of their operational, administrative and technical plans and activities with other staffs and agencies.

(iii) In their capacities as heads of Administrative and Technical Services, they are commanders of troops, activities, and installations assigned to their command, and as such have the usual functions of command over troops, activities, installations, and services, except as provided in special regulations. The two functions of staff and command, although vested in a single head, are separate and distinct in that each involves different responsibilities and duties; and the exercise of one is not to be confused with the exercise of the other.

(iv) Directions or instructions will be issued to subordinate commands of the Major Commands through appropriate channels of command and not directly from one technical staff officer to the corresponding staff officer in the subordinate command. However, the duties of the heads of the Administrative and Technical Services, acting in their capacities as staff officers of the Department of the Army, will include Army-wide supervision and advice and such inspections of activities as the Chief of Staff may prescribe.

(25) *The Adjutant General.* The Adjutant General provides administrative and operational services for the Department of the Army in connection with the procurement, classification, assignment, promotion, transfer, and separation of military personnel; records, correspondence; decorations and awards; postal activities; publications; career management; personnel research; correctional custodial procedures; Special Services activities; and such other services as may be assigned.

(26) *Chief of Chaplains.* The Chief of Chaplains advises the Secretary of the Army and the Chief of Staff on moral and religious matters and formulates plans for, and supervises, moral training and religious ministrations in the Army.

(27) *Provost Marshal General.* The Provost Marshal General provides, supervises, and controls security clearance of facilities, projects, and individuals in industry requiring access to classified information or contracts; supervises military police, prisoner of war activities, matters of good order and discipline, movement of refugees and traffic, prevention and investigation of crime within the Army, and the apprehension of deserters and those absent without leave. He also plans for and supervises the mobilization, training, and employment of military government units; and supervises and controls the Military Police Board, Criminal Investigation Laboratory, the First Criminal Investigation Detachment, and the Enemy Prisoner of War Information Bureau.

(28) *Chief of Ordnance.* The Chief of Ordnance provides and services ordnance material required for the Army

and, as assigned, for the Navy and the Air Force.

(29) *Chief Signal Officer.* The Chief Signal Officer plans, directs and supervises signal communications and related activities, including Army photography; provides and services communications and photographic material required for the Army and, as assigned, for the Navy and the Air Force; and administers the Alaska Communication System.

(30) *Quartermaster General.* The Quartermaster General provides and services food, clothing, equipment, and supplies required for the Army, as assigned to the Quartermaster General and, as assigned, for the Navy and the Air Force; and provides for the disposition of the remains of deceased military personnel and for over-all supervision of the operation of National Cemeteries.

(31) *Chief of Engineers.* The Chief of Engineers plans, directs, and supervises an engineering, construction, and real estate services for the Army and the Air Force (including military engineering support) and for other government agencies as assigned; plans, directs, and exercises technical supervision over the maintenance and repair of real property and operation of utilities plants and systems of Army installations as prescribed in Army regulations; provides and services the engineer material required by the Army and, as assigned, for the Navy and Air Force; provides and directs Army mapping services; administers all matters relating to construction, maintenance, and real estate necessary for the improvement of rivers, harbors, and waterways for navigation, flood control, other water uses and related purposes, and shore protection; and administers the laws for the protection and preservation of the navigable waters of the United States.

(32) *Chief of Transportation.* The Chief of Transportation provides and secures transportation services for the Army, including technical and administrative advice and recommendations on matters relating to transportation; and provides the Navy and the Air Force with land and inland waterway transportation services for which the Army has responsibility, including the administration of the functions of the Central Military Land Traffic Office.

(33) *Surgeon General.* The Surgeon General plans and formulates medical and sanitary policies and procedures; provides and conducts programs and directs certain aspects of the medical service to insure the health of the Army; and provides and services medical material for the Army as assigned to the Surgeon General, and as assigned, for the Navy and the Air Force.

(34) *Chief, Chemical Corps.* The Chief, Chemical Corps, studies and investigates toxicological warfare, including chemical and biological warfare and radiological defense, and provides and services material and equipment pertaining to these types of warfare, except as specifically assigned to other agencies.

(35) *Director of the Women's Army Corps.* The Director of the Women's Army Corps advises the Secretary of the Army and the Chief of Staff on matters

relating to the Women's Army Corps. The Office of the Director, Women's Army Corps, is assigned to the Office, Chief of Staff, and is attached for administrative purposes to the Office, Assistant Chief of Staff, G-1.

(f) *Office, Chief of Army Field Forces—(1) General.* The Office, Chief of Army Field Forces, as the field operating agency of the Department of the Army, is charged with the general direction, supervision, coordination, and inspection of all matters pertaining to the training of individuals and units utilized by the Army in the field.

(2) *Responsibilities—(i) General.* The Chief of Army Field Forces, under directives issued by the Chief of Staff, is responsible for:

(a) Exercising general direction over the training objectives, organization, composition, and equipment of all units utilized by the Army in the field, including those of the Organized Reserve Corps.

(b) Developing and preparing doctrine pertaining to the tactical and technical employment of individuals and units utilized by the Army in the field, and to the material and equipment necessary in the performance of their missions.

(c) Exercising general direction over the training of all individuals and units utilized by the Army in the field and of all individuals and units of the Organized Reserve Corps.

(d) Establishing training criteria for, and inspecting and supervising, the training of the Army National Guard, to include the coordination and approval of plans for field training.

(e) Exercising general direction, supervision, and coordination over the training and equipping of all individuals and units of the ROTC, and units established under Section 55c of the National Defense Act.

(f) Keeping the Chief of Staff informed of the state of training and operational readiness of all units utilized by the Army in the field.

(g) Directing and controlling the curricula and instruction of the Army General and Special Service Schools and Specialists Schools. For exceptions see subparagraph (3) (i) (r) of this paragraph.

(h) Supervising Army participation in instruction in schools and centers of the Navy and the Air Force.

(i) Planning, supervising, and coordinating Army participation in joint exercises and maneuvers.

(j) Coordinating and supervising the preparation of training literature, training films, and other training aids pertaining to the training of individuals and units utilized by the Army in the field.

(k) Coordinating, in the field, programs related to sites, facilities, and installations required for training.

(l) Preparing, coordinating, and supervising mobilization (other than industrial) training plans under current mobilization policy.

(m) Initiating qualitative requirements for items of equipment for which field army type units have a primary interest, and directing and controlling such Army Field Forces Boards as are necessary to insure continued research,

development, and testing of this equipment from the point of view of user interest.

(n) Reviewing and recommending the allotment and assignment of personnel and the establishment of manning levels necessary in the conduct of instruction in the schools within his jurisdiction and in the operation of Army Field Forces Boards; and exercising the necessary control of these personnel to insure their proper utilization.

(o) Supervising the preparation of budgets and coordinating the allotment of special field exercise funds and funds for the schools within his jurisdiction and the Army Field Forces Boards.

(p) Reviewing enlisted and warrant officer career fields with respect to job descriptions, job grades, and job proficiency requirements for promotion tests on any job found in the Army in the field.

(q) Conducting public information activities involving the duties and missions of the Chief of Army Field Forces.

(r) Commanding the troops, activities, and installations assigned to his office.

(ii) *Decentralization.* In the execution of his responsibilities in the continental United States, the Chief of Army Field Forces will be guided by the principle of decentralization of operations to Continental Army Commanders; the Commanding General, Military District of Washington; and the heads of the Administrative and Technical Services or other agencies of the Department of the Army.

(iii) *Continental United States.* In discharging his responsibilities in the continental United States, the Chief of Army Field Forces will issue the necessary instructions through the Continental Army Commanders for agencies under their command and through the heads of the Administrative and Technical Services or other Department of the Army agencies for agencies under their command.

(iv) *Overseas.* The responsibilities overseas of the Chief of Army Field Forces will be limited, in general, to the establishment of training standards and doctrines, the determination of the state of operational readiness of units, and the conduct of such inspections as are essential thereto. Instructions from the Chief of Army Field Forces to Overseas Army Commanders will be approved by and issued through the Department of the Army.

(3) *Use of term "individuals and units utilized by the Army in the field."* As used herein, the term "individuals and units utilized by the Army in the field" will be construed to include all units and individuals utilized by the Army except:

(i) Certain bulk allotment of personnel made to the heads of the Administrative and Technical Services and other Department of the Army agencies for the purpose of operating purely technical activities which are not utilized normally by the Army in the field and including the specific units listed in the Directory and Station List of the United States Army under the following head-

ings and under the heading of Technical Service units:

- (a) Agencies;
- (b) Alaska Communications System;
- (c) Arsenals (including subarsenals and subposts of arsenals);
- (d) Boards (including detachments and test sections);
- (e) Bureaus;
- (f) Centers (see (r) below)
- (g) Depots;
- (h) Districts;
- (i) Divisions (Engineer)
- (j) General hospitals;
- (k) Laboratories;
- (l) Libraries;
- (m) Offices;
- (n) Plants and works;
- (o) Ports of embarkation;
- (p) Projects;
- (q) Proving grounds;
- (r) Schools; the exceptions under this heading include the following:
  - (1) Strategic Intelligence School.
  - (2) Army Security Agency School.
  - (3) Counter Intelligence Corps School.
  - (4) Armed Forces Information School.
  - (5) Armed Forces Staff College.
  - (6) School of Civilian Personnel Administration.
  - (7) National War College.
  - (8) Overseas Schools.
  - (9) Industrial College of the Armed Forces.
  - (10) United States Armed Forces Institute.
  - (11) United States Military Academy.
  - (12) United States Military Academy Preparatory School.
  - (13) Those medical schools and courses of instruction whose curricula are of nonmilitary nature; also those courses of instruction of other services whose curricula are of a nonmilitary nature.

(s) Services;

(t) Staging areas;

(u) Stations;

(v) Railroad repair shops;

(w) Miscellaneous units;

(ii) Personnel and units performing functions at the following activities of the Department of the Army Administrative Area which are administered by The Adjutant General:

- (a) Secretary of Defense Area;
- (b) Secretary of the Army Area;
- (c) Chief of Staff Area;
- (d) Miscellaneous Areas; and
- (e) Civilian Agencies Areas.

(g) *Continental United States*—(1) *Organization.* For command of all activities and installations, except Class II activities and installations, the continental United States is divided into Continental Army Areas and Military District of Washington as follows:

(i) *First Army Area.* Includes the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, and New Jersey, commanded by Commanding General, First Army, Headquarters, First Army, Fort Jay, Governors Island, New York.

(ii) *Second Army Area.* Includes the States of Pennsylvania, Ohio, Kentucky, West Virginia, Maryland, Delaware, and Virginia; commanded by Commanding General, Second Army, Headquarters, Second Army, Fort Meade, Maryland.

(iii) *Third Army Area.* Includes the States of Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida, commanded by Commanding General, Third Army, Headquarters, Third Army, Fort McPherson, Atlanta, Georgia.

(iv) *Fourth Army Area.* Includes the States of Arkansas, Oklahoma, New Mexico, Texas, and Louisiana; commanded by Commanding General, Fourth Army, Headquarters, Fourth Army, Fort Sam Houston, San Antonio, Texas.

(v) *Fifth Army Area.* Includes the States of Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Wyoming, Nebraska, Iowa, Illinois, Missouri, Kansas, Colorado, and Indiana, commanded by Commanding General, Fifth Army, Headquarters, Fifth Army, Chicago, Illinois.

(vi) *Sixth Army Area.* Includes the States of Montana, Idaho, Washington, Oregon, California, Nevada, Utah, and Arizona, commanded by Commanding General, Sixth Army, Headquarters, Sixth Army, Presidio of San Francisco, California.

(vii) *Military District of Washington.* Includes the District of Columbia and such adjacent territory as may be prescribed from time to time; commanded by Commanding General, Military District of Washington; Headquarters, Military District of Washington, Washington 25, D. C.

(2) *Continental Army Commanders.* The commanding general of each of the Continental Armies and the Military District of Washington commands all units, activities, and installations within his army area or the Military District of Washington, except those specifically commanded by the head of an Administrative or Technical Service or other agency of the Department of the Army. He is responsible for the operations, training, administration, services, and supply of all units, activities, and installations of his command. He is also responsible for certain functions at Class II activities and installations as set forth in special regulations.

(3) *Class II installations and activities*—(i) *Definitions and classification*—(a) *Installations.* Installations are defined and classified as follows:

(1) *Definitions.* (i) An installation is land and the improvements thereon, under the control of the Department of the Army, at which functions of the Army Establishment are carried on, and which has been established by an order of the Department of the Army. Land and the improvements thereon utilized by posts, camps, hospitals, depots, arsenals, industrial facilities, cemeteries, etc., will generally be designated as an installation where located separately, but where located contiguously or on the same reservation, the combined property will usually be designated as one installation and the separate facilities will be designated as activities at that installation.

(ii) A subinstallation is land and the improvements thereon, under the control of the Department of the Army, at which functions of the Army Establishment are carried on, and which has been designated as a subinstallation by De-



partment of the Army authority. Subinstallations are attached to installations for command and administrative purposes, although they are located separately. Generally, subinstallations will be interpreted to include subinstallations of ports of embarkation, and subdepots.

(2) *Categories.* The two main categories of installations are:

(i) *Command installation.* Any installation of the Army Establishment, including nonmanufacturing arsenals, primarily used or useful for functions of the Army other than the production, test, research, and development of material, munitions, or supplies.

(ii) *Industrial installation.* Any installation of the Army Establishment primarily used in connection with the production, test, research, and development of material, munitions, or supplies.

(3) *Classification.* Installations are classified as Class I or Class II, depending upon command jurisdiction, as follows:

(i) Class I installations are under the command of the commanding general of an Army or the Military District of Washington.

(ii) Class II installations are under the command of the head of an Administrative or Technical Service or other Department of the Army agency. Such installations primarily perform operating functions contributing directly to the fulfillment of programs which can be effectively controlled only from one central national source and require closely coordinated national planning, programming, and budgeting.

(b) *Activities.* Activities are defined and classified as follows:

(1) *Definition.* An activity is a function or a group of related functions or is the facility at which the function or functions are carried on; an activity may be located at an installation, a subinstallation, or a separate location which has not been designated as a Department of the Army installation or subinstallation.

(2) *Categories.* The two main categories of activities are:

(i) *Major activities.* Those of considerable size or importance, such as general hospitals or depots, and which are located at installations with other activities.

(ii) *Minor activities.* Those which by comparison with major activities are minor in scope, such as quartermaster sales commissaries or ordnance shops, and which may be located on or off an installation.

(3) *Classification.* An activity may or may not have the same classification as the installation on which it is located. Activities, like installations, are classified as Class I or Class II, depending upon the agency which has jurisdiction over the activity. However, at either a Class II installation or a Class II activity separately located, those activities performing functions listed in special regulations as responsibilities of the Army Commanders are classified as Class I activities. All other activities so located perform functions contributing directly to national programs and are classified as Class II activities under the jurisdiction of the heads of the Admin-

istrative or Technical Services or other Department of the Army agencies controlling the installation or separately located activity.

(ii) *Department of the Army agency responsibilities.* The heads of the Administrative and Technical Services and other Department of the Army agencies are charged with particular responsibility for the accomplishment of certain programs which are national in scope. As a basis for adequate implementation of these programs, the requisite planning, programming, budgeting, and control thereof must be exercised by a single source, normally a Department of the Army agency. The accomplishment of these Nation-wide programs is achieved primarily by assigning portions or aspects to subordinate field operating agencies located at Class II installations and activities. However, there are, in addition, certain administrative and service functions performed at each Class II installation or activity, which, while necessary, nevertheless contribute only indirectly to the accomplishment of the mission of the Class II installation or activity. These overhead functions are set forth in special regulations as responsibilities of the Continental Army Commanders and the Commanding General, Military District of Washington. All other functions at a Class II installation or activity, not so delineated, remain the responsibility of the Department of the Army agency controlling the installation or activity.

[SEAL] EDWARD F. WITSELL,  
Major General, U. S. Army,  
The Adjutant General.

[F. R. Doc. 50-8617; Filed, Oct. 2, 1950;  
8:45 a. m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### ARIZONA

#### CLASSIFICATION ORDER

#### Correction

AUGUST 8, 1950.

In Federal Register Document 50-7076, published at page 5410 in the issue for August 15, 1950, the last line of the land description should read "Sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$ "

## DEPARTMENT OF AGRICULTURE

### Farmers Home Administration

DEPUTY ADMINISTRATOR, ASSISTANT ADMINISTRATORS, AND DIRECTOR, PRODUCTION LOAN DIVISION

DELEGATIONS OF AUTHORITY WITH RESPECT TO CERTAIN POWERS, FUNCTIONS AND DUTIES

There is hereby delegated to the Deputy Administrator, Assistant Administrators, and the Director, Production Loan Division, Farmers Home Administration, subject to the general supervision of the Administrator, all authorities, powers, functions and duties vested in the Secretary of Agriculture pursuant to the authority contained in

the item under the heading "Loans to Farmers, 1948 Flood Damage," in title I of Public Law 785, 80th Congress (62 Stat. 1038) in the item under the heading "Loans to Farmers, Property Damage" in title I of Public Law 71, 81st Congress (63 Stat. 81), and in Public Law 38, 81st Congress (63 Stat. 43) as amended by Public Law 665, 81st Congress, and delegated to the Administrator by Orders of the Secretary of Agriculture dated April 15, 1949 (14 F. R. 2043) June 17, 1949 (14 F. R. 3418) and September 7, 1950 (15 F. R. 6126). The authorities, powers, functions and duties delegated herein may not be redelegated.

The order of the Administrator of the Farmers Home Administration dated June 29, 1949 (14 F. R. 3802), is hereby revoked.

Done at Washington, D. C., this 14th day of September 1950.

[SEAL] DILLARD B. LASSETER,  
Administrator,  
Farmers Home Administration.

[F. R. Doc. 50-8643; Filed, Oct. 2, 1950;  
8:49 a. m.]

## FEDERAL POWER COMMISSION

[Docket Nos. G-1384, G-1175]

ATLANTIC SEABOARD CORP. ET AL.

NOTICE OF RECONVENING OF HEARING

SEPTEMBER 28, 1950.

In the matters of Atlantic Seaboard Corporation and Virginia Gas Transmission Corporation, Docket No. G-1384; Atlantic Seaboard Corporation, Docket No. G-1175.

Notice is hereby given that the Presiding Examiner in the above entitled proceedings has ordered such proceedings, recessed August 28, 1950, to reconvene in the Commission's hearing room, 1800 Pennsylvania Avenue NW., Washington, D. C., at 10:00 a. m., Monday, October 9, 1950.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 50-8630; Filed, Oct. 2, 1950;  
8:46 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25441]

CORN IN THE WEST

APPLICATION FOR RELIEF

SEPTEMBER 28, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of the Chicago, Burlington & Quincy Railroad Company and other carriers named in the application.

Commodities involved: Whole corn, carloads.

From: Points in Kansas, Nebraska and Wyoming.

To: Points in Colorado, Nebraska and Wyoming.

Grounds for relief: Circuitous routes, operation through higher-rated territory and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates; CB&Q., tariff I. C. C. No. 20259, Supplement 3. UP., tariff I. C. C. No. 5166, Supplement 14.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-8623; Filed, Oct. 2, 1950;  
8:45 a. m.]

[4th Sec. Application 25442]

#### COAL FROM THE SOUTHWEST TO IOWA AND MINNESOTA

##### APPLICATION FOR RELIEF

SEPTEMBER 28, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3763.

Commodities involved: Coal, carloads.  
From: Points in the southwest.

To: Points in Iowa and Minnesota.

Grounds for relief: Competition with rail carriers, circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3763, Supplement 110.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing,

upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-8624; Filed, Oct. 2, 1950;  
8:45 a. m.]

[4th Sec. Application 25443]

#### FERTILIZER COMPOUNDS FROM ETTER, TEX.

##### APPLICATION FOR RELIEF

SEPTEMBER 28, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3746.

Commodities involved: Fertilizer compounds, carloads.

From: Etter, Tex.

To: Norfolk and Newport News, Va.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3746, Supplement 54.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-8625; Filed, Oct. 2, 1950;  
8:45 a. m.]

[No. 30674]

#### MONTANA INTRASTATE FREIGHT RATES AND CHARGES

##### ORDER FOR HEARING

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 22d day of September, A. D. 1950.

It appearing, that in Ex Parte No. 162, Increased Railway Rates, Fares, and Charges, 1946, and Ex Parte No. 148, Increased Railway Rates, Fares, and Charges, 1942, 264 I. C. C. 695, and 266 I. C. C. 537; Ex Parte No. 166, Increased Freight Rates, 1947, 269 I. C. C. 33, 270 I. C. C. 81, 93, and 403; and Ex Parte No.

168, Increased Freight Rates, 1948, 272 I. C. C. 695, and 276 I. C. C. 9, the Commission authorized carriers subject to the Interstate Commerce Act parties thereto to make certain increases in their freight rates and charges for interstate application throughout the United States, and that increases under such authorizations have been made:

It further appearing, that a petition has been filed on behalf of the Northern Pacific Railway Company, Great Northern Railway Company, Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Union Pacific Railroad Company, and Chicago, Burlington & Quincy Railroad Company, averring that the Board of Railroad Commissioners of the State of Montana Ex-Officio Public Service Commission of Montana, by various orders has refused to authorize or permit petitioners to establish for intrastate transportation upon their railroads in Montana increases in freight rates and charges corresponding to those authorized by this Commission and made by petitioners for application on interstate traffic in the proceedings above cited;

It further appearing; that petitioners allege that the refusal of the said Board of Railroad Commissioners of the State of Montana to permit the increases on intrastate traffic referred to in the preceding paragraph causes and results in undue and unreasonable advantage, preference, and prejudice as between persons and localities in intrastate commerce on the one hand and interstate commerce on the other hand, and undue, unreasonable and unjust discrimination against interstate commerce, in violation of sections 3, 13 (4), and 15a (2) of the Interstate Commerce Act;

And it further appearing, that there have been brought in issue by the said petition rates and charges made or imposed by authority of the State of Montana.

It is ordered, That in response to the said petition, an investigation be, and it is hereby, instituted, and that a hearing be held therein for the purpose of receiving evidence from the respondents hereinafter designated and any other persons interested, to determine whether the rates and charges of the common carriers by railroad, or any of them, operating in the State of Montana for the intrastate transportation of property, made or imposed by authority of the State of Montana, cause any undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum, or minimum, or maximum and minimum rates and charges, shall be prescribed to remove the unlawful advantage, preference, prejudice, or discrimination, if any, that may be found to exist;

It is further ordered, That all common carriers by railroad operating within the State of Montana subject to the jurisdiction of this Commission be, and they are hereby, made respondents to this pro-

ceeding; that a copy of this order be served upon each of the said respondents; and that the State of Montana be notified of this proceeding by sending copies of this order and of said petition by registered mail to the Governor of the said State and to the Board of Railroad Commissioners of the State of Montana at Helena, Montana;

*It is further ordered*, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.;

*And it is further ordered*, That this proceeding be assigned for hearing at such times and places as the Commission may hereafter direct.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-8627; Filed, Oct. 2, 1950;  
8:46 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 30-170]

PORTLAND ELECTRIC POWER CO.

### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 27th day of September A. D. 1950.

Notice is hereby given that Thos. W. Delzell and R. L. Clark, trustees of Portland Electric Power Company ("PEPCO") a registered holding company, have filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 requesting the Commission to enter an order declaring that PEPCO has ceased to be a holding company under said act.

The application states that pursuant to the Commission's findings, opinions and orders of January 14, 1946 (Holding Company Act Release No. 6365) and December 10, 1946 (Holding Company Act Release No. 7057) approving a plan of reorganization for PEPCO pursuant to section 11 (f) of said act, which plan was also approved and confirmed by the District Court of the United States for the District of Oregon, PEPCO has made distribution of its assets and was on February 2, 1948, dissolved.

Notice is hereby given that any interested person may, not later than October 16, 1950 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said application may be granted

without hearing unless good cause therefor shall be shown.

By the Commission.

[SEAL] Nellye A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 50-8636; Filed, Oct. 2, 1950;  
8:47 a. m.]

[File No. 70-2471]

DELAWARE POWER AND LIGHT CO.

### SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of September A. D. 1950.

Delaware Power and Light Company ("Delaware"), a registered holding company and utility company, having filed a declaration pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 and Rule U-50 of the General Rules and Regulations promulgated thereunder, with respect to the issuance and sale, pursuant to the competitive bidding requirements of Rule U-50, of \$12,000,000 principal amount of its First Mortgage and Collateral Trust Bonds — percent series due 1980; and

The Commission having, on September 18, 1950 and September 20, 1950, issued its orders permitting said declaration to become effective subject, however, to the condition, among others, that the proposed issuance and sale of bonds shall not be consummated until the results of competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered with respect thereto; and jurisdiction having been reserved over the payment of fees and expenses to be incurred in connection with the proposed transaction; and

Delaware having on September 27, 1950, filed an amendment to said declaration in which it is stated that it has invited bids with respect to such bonds pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

| Bidder   | Annual interest rate (per cent) | Price to company <sup>1</sup> (percent of principal) | Annual cost to company (per cent) |
|--|---------------------------------|--|-----------------------------------|
| Halsey, Stuart & Co., Inc.                     | 2 3/4                           | 100.157  | 2.7423                            |
| The First Boston Corporation-Blyth & Co., Inc. | 2 3/4                           | 100.15   | 2.7423                            |
| White, Weld & Co.-Shields & Co.                | 2 3/4                           | 100.013  | 2.7411                            |
| Union Securities Corp.                         | 2 3/4                           | 100.022  | 2.7419                            |
| Lehman Bros.                                   | 2 3/4                           | 102.4729   | 2.7533                            |
| Morgan Stanley & Co.                           | 2 3/4                           | 102.423  | 2.7525                            |
| Kuhn, Loeb & Co.                               | 2 3/4                           | 102.42   | 2.7523                            |
| W. O. Langley & Co.                            | 2 3/4                           | 102.3829   | 2.7513                            |

<sup>1</sup> Exclusive of accrued interest from September 1, 1950.

Said amendment further stating that Delaware has accepted the bid of Halsey Stuart & Co., Inc., for the bonds as set forth above, and that the bonds will be offered for sale to the public at a price of 100.407 percent of their principal amount plus accrued interest, resulting in an

underwriter's spread of 0.25 percent of the principal amount; and

Said amendment also setting forth the fees and expenses estimated at \$71,000 to be incurred in connection with the proposed transaction including the following: Legal fees of \$8,000 to Ballard, Spahr, Andrews & Ingersoll and \$2,500 to Southerland, Berl & Potter as counsel for Delaware; legal fee of \$7,000 to Townsend, Elliott & Munson, to be paid by, and as counsel for, underwriters; and the record being incomplete in respect of the nature and extent of the services of Drexel & Co., financial advisor to Delaware; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matter, and finding that the legal fees and expenses other than the fee of Drexel & Co. are not unreasonable:

*It is ordered*, That the declaration, as amended, be, and the same hereby is, permitted to become effective, forthwith, and that the jurisdiction heretofore reserved with respect to the results of competitive bidding for the bonds and in respect of all fees and expenses other than the fee of Drexel & Co., financial advisor to Delaware, be, and the same hereby is, released subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] Nellye A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 50-8634; Filed, Oct. 2, 1950;  
8:46 a. m.]

[File No. 812-683]

FIRST YORK CORP.

### NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of September A. D. 1950.

Notice is hereby given that First York Corporation, 103 Park Avenue, New York, New York, has filed an application under section 10 (e) of the Investment Company Act of 1940 requesting an order granting First York Corporation until November 8, 1950, to comply with the requirements of sections 10 (a) and (e) of the act in connection with the persons comprising the board of directors of the applicant.

Section 10 (a) of the act provides that no registered investment company shall have a board of directors more than 60 per centum of the members of which are persons who are investment advisers of, affiliated persons of an investment adviser of, or officers or employees of, such registered company. Section 10 (e) provides in part, however, that if by reason of the death of any director the requirements of section 10 (a) are not met by a registered investment company, the operation of such provisions shall be suspended as to such registered company for a period of thirty days if the vacancy may be filled by action of the board of

directors, or for such longer period as the Commission may prescribe, by order upon application, as not inconsistent with the protection of investors.

First York Corporation is a closed-end, management investment company registered under the act. Following the death on August 25, 1950, of a member of the board of directors of the company, five of the eight remaining directors were affiliated with the company in such a manner that the composition of the board of directors no longer complied with the requirements of section 10 (a). The applicant asserts that under the particular circumstances of this case, the board of directors needs more than thirty days in order to make a suitable selection to fill this vacancy. An order of the Commission pursuant to section 10 (e) is requested, extending until November 8, 1950, the period within which the vacancy on the board of directors may be filled so as to comply with the requirements of section 10 (a).

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in

part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time after October 12, 1950, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than October 10, 1950, at 5:30 p. m., e. s. t., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL]

NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 50-8635; Filed, Oct. 2, 1950;  
8:46 a. m.]

## WAR CLAIMS COMMISSION

### STAFF PROJECTS AND METHODS COMMITTEE

#### DESCRIPTION OF ORGANIZATION

Section 4 (14 F. R. 7820) is amended by adding the following:

(c) *Staff Projects and Methods Committee.* There is established within the Commission a Committee known as the Staff Projects and Methods Committee. This Committee, which is under the chairmanship of the Executive Director, is composed of the Directors of the Services, Chiefs of the Divisions, and a representative of the Office of the General Counsel. The duty of this Committee is to operate as a policy and planning committee to consider the problems, programs and plans of the various sections and services of the Commission, as well as personnel thereof, with a view to increasing efficiency and greater employee understanding and participation in the over-all functions of the Commission.

DANIEL F. CLEARY,  
Chairman, War Claims Commission.

[F. R. Doc. 50-8628; Filed, Oct. 2, 1950;  
8:46 a. m.]